



Final EIR

# Heritage Ridge Residential Project EIR

SCH # 2015041014

Lead Agency: City of Goleta



## Volume I: Report

Prepared with the assistance of:  
Rincon Consultants, Inc.

February 2023



---

# Heritage Ridge Residential Project

## *Final* Environmental Impact Report

SCH #2015041014

### Volume I: Report

*Prepared by:*

#### **City of Goleta**

130 Cremona Drive, Suite B  
Goleta, CA 93117  
(805) 961-7549

*Prepared with the assistance of:*

#### **Rincon Consultants, Inc.**

1530 Monterey Street, Suite D  
San Luis Obispo, California 93401

*February 2023*

---

*This report is printed on 50% recycled paper with 30% post-consumer content.*

---



# TABLE OF CONTENTS

	Page
Preface .....	P-1
0.0 Executive Summary .....	ES-1
1.0 Introduction .....	1-1
1.1 Environmental Impact Report Background.....	1-1
1.2 Purpose and Legal Authority.....	1-3
1.3 EIR Scope and Content.....	1-3
1.4 Lead, Responsible, and Trustee Agencies .....	1-4
1.5 Environmental Review Process .....	1-4
2.0 Project Description.....	2-1
2.1 Project Applicant.....	2-1
2.2 Project Site .....	2-1
2.3 Site Characteristics and Uses .....	2-7
2.4 Project Objectives .....	2-8
2.5 Project.....	2-8
2.6 Construction.....	2-23
2.7 Required Approvals.....	2-23
3.0 Related Projects .....	3-1
4.0 Environmental Impact Analysis.....	4-1
4.1 Aesthetics/Visual Resources .....	4.1-1
4.2 Air Quality .....	4.2-1
4.3 Biological Resources.....	4.3-1
4.4 Cultural and Tribal Cultural Resources.....	4.4-1
4.5 Geology and Soils .....	4.5-1
4.6 Greenhouse Gas Emissions .....	4.6-1
4.7 Hazardous Materials/Risk of Upset.....	4.7-1
4.8 Hydrology and Water Quality .....	4.8-1
4.9 Land Use and Planning.....	4.9-1
4.10 Noise .....	4.10-1
4.11 Public Services.....	4.11-1
4.12 Recreation .....	4.12-1
4.13 Transportation/Circulation .....	4.13-1
4.14 Utilities and Service Systems.....	4.14-1
4.15 Energy.....	4.15-1
4.16 Wildfire.....	4.16-1
4.17 Effects Found Not to Be Significant.....	4.17-1
5.0 Other CEQA Discussions.....	5-1
5.1 Growth Inducing Impacts.....	5-1
5.2 Significant, Irreversible Changes .....	5-2



6.0 Alternatives .....	6-1
6.1 Alternative 1: No Project/No Development.....	6-1
6.2 Alternative 2: Avoid CA-SBA-56 .....	6-2
6.3 Alternative 3: Increased Railway/Freeway Buffer and Higher Sound Wall .....	6-7
6.4 Alternative 4: Reduced Building Height .....	6-12
6.5 Alternative 5: Mixed Use Development.....	6-16
6.6 Alternative Sites .....	6-21
6.7 Environmentally Superior Alternative.....	6-22
7.0 References and EIR Preparers .....	7-1
7.1 References for Revised Draft EIR .....	7-1
7.2 EIR Preparers.....	7-20
8.0 Responses to Comments on the Draft EIR .....	8-1
8.1 Introduction .....	8-1
8.2 General Revisions Incorporated into the Final EIR.....	8-1
8.3 Responses to Public Testimony on the Original Draft EIR.....	8-2
8.4 Written Comments and Responses on the Original Draft EIR .....	8-3
9.0 Responses to Comments on the Revised Draft EIR.....	9-1
9.1 Introduction .....	9-1
9.2 Master Response to Comments on the Revised Draft EIR.....	9-1
9.3 Responses to Public Testimony on the Revised Draft EIR.....	9-24
9.4 Written Comments and Responses on the Revised Draft EIR.....	9-26

## List of Figures

Figure P-1	Revised Site Plan.....	P-3
Figure P-2	Revised Landscaping Plan (with Park Option 1) .....	P-5
Figure P-3	Park Option 2 .....	P-6
Figure P-4	Park Option 3 .....	P-7
Figure 2-1	Regional Location .....	2-2
Figure 2-2	Site Location .....	2-3
Figure 2-3	Existing General Plan Land Use Designation in Project Vicinity .....	2-5
Figure 2-4	Existing Zoning in Project Vicinity.....	2-6
Figure 2-5	Proposed Site Plan.....	2-11
Figure 2-6	Grading and Drainage Plan.....	2-17
Figure 2-7	Landscaping Plan .....	2-21
Figure 3-1	Cumulative Projects in the Goleta Area .....	3-6
Figure 4.1-1	Locations and Directions of Aesthetics Photos .....	4.1-3
Figure 4.1-2a	Existing Site Conditions .....	4.1-4
Figure 4.1-2b	Existing Site Conditions .....	4.1-5
Figure 4.1-3	Scenic and Visual Resources in the City of Goleta.....	4.1-6
Figure 4.1-4	Locations and Directions of Photo Simulations.....	4.1-10
Figure 4.1-5	Redesigned Project-Existing and Simulated Views from S. Los Carneros Road Looking North Toward Project Site .....	4.1-11
Figure 4.1-6	Existing and Simulated Views from S. Los Carneros Road Looking Southeast Toward Project Site .....	4.1-12



Figure 4.1-7	Existing and Simulated Views from S. Los Carneros Road Looking Southeast Toward Project Site .....	4.1-13
Figure 4.3-1	Habitat Map.....	4.3-4
Figure 4.3-2	Surrounding ESHA Map .....	4.3-9
Figure 4.3-3	Special-Status Species and Environmentally Sensitive Habitat Areas (Mapped 2009).....	4.3-11
Figure 4.8-1	Major Hydrological Features in the City of Goleta .....	4.8-3
Figure 4.8-2	FEMA Flood Map of the Project Location.....	4.8-4
Figure 4.13-1	Intersection Lane Geometry and Traffic Controls .....	4.13-2
Figure 9-1	Wildlife Corridors.....	9-12
Figure 9-2	CWMP Appendix E Figure 3, Wildlife Corridors and Habitat Linkages .....	9-14
Figure 9-3	Project Site in Relation to Conservation Biology Institute Mapping .....	9-15
Figure 9-4	Biological Resources along Los Carneros Creek .....	9-19

### List of Tables

Table ES-1	Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts.....	ES-7
Table 1-1	Scoping Issues Received.....	1-2
Table 2-1	Existing Site and Surrounding Uses.....	2-4
Table 2-2	Summary of Project Residential Building and Unit Count .....	2-10
Table 2-3	Project Summary Totals .....	2-13
Table 2-4	Utility Service Providers.....	2-23
Table 3-1	Cumulative Projects in the Goleta Area.....	3-1
Table 3-2	Total Cumulative Development .....	3-5
Table 4.2-1	Current Federal and State Ambient Air Quality Standards.....	4.2-2
Table 4.2-2	Ambient Air Quality Data.....	4.2-4
Table 4.2-3	SBCAG Housing Projections for Goleta .....	4.2-10
Table 4.2-4	Estimated Operational Emissions of the Project .....	4.2-12
Table 4.2-5	Estimated Pre-Construction Air Pollutant Emissions.....	4.2-13
Table 4.2-6	Estimated Construction Air Pollutant Emissions .....	4.2-14
Table 4.2-7	Estimated Annual Emissions from Combined Project Construction and Pre-Construction Export .....	4.2-14
Table 4.2-8	Potential Health Risks at the MEIR Receptors Without Reduction Measures.....	4.2-16
Table 4.2-9	Potential Carcinogenic Health Risks Site With Reduction Measures.....	4.2-18
Table 4.3-1	Project Site Habitats .....	4.3-7
Table 4.6-1	City of Goleta Baseline Inventory – 2007 .....	4.6-11
Table 4.6-2	Locally Applicable Project-Specific 2030 Efficiency Threshold .....	4.6-12
Table 4.6-3	Estimated Construction Emissions of Greenhouse Gases .....	4.6-15
Table 4.6-4	Combined Annual Emissions of Greenhouse Gases (2024).....	4.6-17
Table 4.6-5	Project Consistency with Applicable Climate Action Plan Measures .....	4.6-18
Table 4.6-6	Project Consistency with Applicable SBCAG 2040 RTP-SCS Goals and Objectives .....	4.6-19
Table 4.7-1	Environmental Database Summary .....	4.7-3
Table 4.7-2	Businesses that Use Hazardous Materials within 1/4-Mile of the Project Site .....	4.7-12
Table 4.7-3	Hazardous Materials Truck Shipment Characteristics by Hazard Class.....	4.7-15
Table 4.8-1	Pre- and Post-Development Runoff Rates for the Retention Basin.....	4.8-2
Table 4.9-1	Consistency with Policies in the Goleta General Plan .....	4.9-5



Table 4.9-2	Consistency with Zoning Ordinance Requirements.....	4.9-40
Table 4.10-1	Noise Measurement Results.....	4.10-3
Table 4.10-2	Human Response to Different Levels of Groundborne Vibration .....	4.10-4
Table 4.10-3	Goleta Noise and Land Use Compatibility Criteria .....	4.10-5
Table 4.10-4	Significance of Changes in Operational Roadway Noise Exposure.....	4.10-7
Table 4.10-5	Typical Noise Levels at Construction Sites.....	4.10-9
Table 4.10-6	Vibration Levels for Construction Equipment .....	4.10-13
Table 4.10-7	Calculated Exterior Noise Associated with Traffic on Surrounding Roadways During Peak Hour.....	4.10-14
Table 4.10-8	Parking Lot Noise Sources at 50 Feet.....	4.10-15
Table 4.10-9	Highest Calculated Exterior Sound Levels (Cumulative Plus Project) with Eight-Foot High Wall at Northern and Western Project Boundaries.....	4.10-17
Table 4.10-10	Highest Calculated Exterior and Interior Sound Levels (Cumulative Plus Project) with Eight-Foot High Wall at Northern and Western Project Boundaries .....	4.10-18
Table 4.10-11	Highest Calculated Exterior Sound Levels (Cumulative Plus Project) with 7' Barriers at Balconies facing Northern Project Boundaries .....	4.10-19
Table 4.10-12	Vibration Levels for Rail Transit .....	4.10-19
Table 4.11-1	Current School Enrollment and Capacity.....	4.11-2
Table 4.11-2	Project Induced Student Generation at GUSD and SBUSD Schools.....	4.11-7
Table 4.12-1	Planned and Recently Completed Active Parks .....	4.12-2
Table 4.13-1	Existing Roadway Operations .....	4.13-3
Table 4.13-2	Project Trip Generation .....	4.13-6
Table 4.14-1	Projected 2015-2016 Water Supply and Demand for the Goleta Water District.....	4.14-1
Table 4.14-2	Project-Generated Water Demand.....	4.14-11
Table 4.14-3	Existing + Project Wastewater Generation and Allocated Capacity.....	4.14-13
Table 4.14-4	Estimated Water Demand from Cumulative Projects in the City of Goleta .....	4.14-16
Table 4.15-1	2019 Annual Gasoline and Diesel Consumption.....	4.15-4
Table 4.15-2	2019 Electricity Consumption.....	4.15-4
Table 4.15-3	2019 Natural Gas Consumption.....	4.15-4
Table 4.15-4	Construction Fuel Consumption .....	4.15-12
Table 4.15-5	Operational Energy Usage .....	4.15-13
Table 6-1	Comparison of Alternative 5 and the Project .....	6-17
Table 6-2	Comparison of Alternative 5 and the Project Water Demand, Wastewater Generation, and Solid Waste Generation.....	6-21
Table 6-3	Impact Comparison of Alternatives .....	6-24
Table 8-1	July 20, 2016, Public Hearing and Verbal Comment Summary .....	8-2
Table 8-2	Written Comments Received on the Original Draft EIR.....	8-4
Table 9-1	Comments Received at the June 16, 2021 Public Hearing .....	9-24
Table 9-2	Written Comments Received on the Revised Draft EIR.....	9-26

## Appendices

Appendix A	Notice of Preparation & Responses
Appendix B	Air Quality/Greenhouse Gas Emissions Studies & Modeling, and Energy Calculations
Appendix C	Health Risk Assessment



Appendix D	Biological Resources Assessment
Appendix E	Geotechnical Engineering Report
Appendix F	Phase I Environmental Assessment
Appendix G	Hydraulic Report and Stormwater Control Plan
Appendix H	Environmental Noise Study Report and Supplementary Noise Modeling
Appendix I	Updated Traffic and Circulation Study and VMT Calculations
Appendix J	Judgement Upon Arbitration Award and Annual Demand Water Report
Appendix K	Goleta Water District Preliminary Conditions Letter
Appendix L	Parcel Maps
Appendix M	Comment Letters Received on Draft EIR
Appendix N	Comment Letters Received on Revised Draft EIR
Appendix O	Comments Received Prior to Planning Commission Hearings





*This page intentionally left blank.*



## PREFACE

The Heritage Ridge Residential Project (the “Project”) involves a proposal to develop 332 housing units and a two-acre neighborhood park on a 17.36 gross acre site within the Inland Area of the City of Goleta (“City”). This Preface summarizes project changes that the applicant has proposed in response to comments received after the Final Environmental Impact Report (“EIR”) for the Heritage Ridge Residential Project (the “Project”) was prepared in January 2022 and the Notice of Availability of the Final EIR was circulated in February 2022. This Preface also provides responses to the comments received prior to the Planning Commission hearings. No other changes were made to the Final EIR, other than addition of this Preface chapter, since the Notice of Availability of the Final EIR was circulated in February 2022.

### Project History

A Notice of Preparation (“NOP”) of an EIR was distributed for a 30-day public-review period on April 6, 2015. The original Draft EIR for the Project was circulated for a 52-day public review period between June 17, 2016 and August 8, 2016. A Revised Draft EIR, which reflected Project changes since preparation of the original Draft EIR, was circulated for a 45-day public review period from May 14, 2021 to June 28, 2021. A Final EIR, which included public comments on the original Draft EIR and the Revised Draft EIR, was prepared in January 2022. A *Notice of Availability (NOA) of the Final EIR and Planning Commission Hearing* was circulated on February 17, 2022. A Planning Commission Hearing for the Project was held on March 28, 2022 and continued on April 25, 2022 and November 14, 2022.

Prior to both the March 28 and April 25, 2022 Planning Commission Hearings, the City received several public comments, which included comments on the Project and on the Final EIR. These public comments were received after the close of the public comment period on the Revised Draft EIR, which ended on June 28, 2021. However, three of the comment letters provided by the Environmental Defense Center (“EDC”), Sierra Club, and the California Department of Fish and Wildlife (“CDFW”) included substantive comments that the City believed warranted a further response. Although not required by the California Environmental Quality Act (“CEQA”), written responses to the substantive comment letters are provided below.

Several comments were related to the Los Carneros Creek Streamside Protection Area (SPA) setback. The Project analyzed in the Final EIR included a 100-foot setback from Los Carneros Creek based on the SPA boundary mapped in 2015, which reflects the “existing conditions” baseline established by the date of the NOP. The comment letters requested that the 100-foot SPA setback be based on the SPA boundary mapped in 2021<sup>1</sup>. CEQA requires analysis of project impacts based on the existing conditions baseline of 2015. Nonetheless, the Project Applicant, after preparation of the January 2022 Final EIR, revised the Project design to achieve a 100-foot setback based on both the 2015 existing conditions baseline and the 2020<sup>2</sup> mapping. This issue is detailed further in the response to comments provided in this section.

In addition, at their February 2, 2022 meeting, the City Parks and Recreation Commission expressed concerns that the proposed 2-acre neighborhood park did not include sufficient active recreation components to meet the City’s definition of a neighborhood park. Policy OS 6.4 in the City’s General Plan Open Space Element defines a neighborhood park as follows:

---

<sup>1</sup> The comment letters refer to the SPA boundary mapping as 2021, which was the date the Revised Draft EIR was circulated for public review. However, the boundary of the SPA was most recently mapped in 2020 and was the basis for the revised Project design.

<sup>2</sup> See footnote 1 regarding discrepancy between date that commenters asserted as applicable (2021) and the actual date of mapping (2020).



**OS 6.4:** *Neighborhood parks provide the nearby residential neighborhood with active recreational activities for a variety of age groups. The following standards shall apply to neighborhood parks:*

- a) *The typical service area radius shall be 0.5 mile.*
- b) *The typical size shall be less than 10 acres.*
- c) *Neighborhood parks should be easily accessible to the surrounding neighborhood population through safe pedestrian and bicycle access. Neighborhood parks do not generally require onsite parking, although a limited amount of parking may be provided.*
- d) *Typical facilities provided in neighborhood parks include playgrounds and associated equipment, picnic tables, open undeveloped areas, lawns or grassy areas for field games, and benches.*
- e) *Neighborhood parks may be developed as a school park or community center park.*

The Planning Commission raised similar concerns about the park design at their March 28 and April 25, 2022 hearings. The City Parks and Open Space Department expressed concerns regarding cost of maintaining and replacing the fitness equipment. In addition, EDC has expressed concerns about the effects of noise from park users on the project site residents and wildlife. To address the concerns about the park design, the Project Applicant prepared two additional options for the proposed park design after the Final EIR was prepared in January 2022.

Finally, the number of affordable units was reduced from 104 to 102 but the total number of residential units, 332, was unchanged.

Project changes that have occurred since preparation of the Final EIR are summarized below, followed by responses to the substantive comment letters related to the Final EIR that were submitted prior to the Planning Commission hearings. *State CEQA Guidelines, Section 15088.5*, requires that a lead agency recirculate a Draft EIR when significant new information is added to the EIR prior to certification. The revisions to the project design do not constitute “significant new information” because they do not result in a new avoidable significant effect, substantially increase the severity of any environmental impacts, identify a feasible project alternative considerably different from others previously analyzed, or involve new mitigation measures or substantial revisions to mitigation measures that were included in the Revised Draft EIR or Final EIR. Because these revisions to the project description clarify or strengthen the analysis of impacts in the EIR and do not constitute significant new information, recirculation of the EIR is not required pursuant to State CEQA Guidelines Section 15088.5.

## **Summary of Project Changes**

Project design changes that have occurred since the Final EIR was prepared in January 2022 are detailed below.

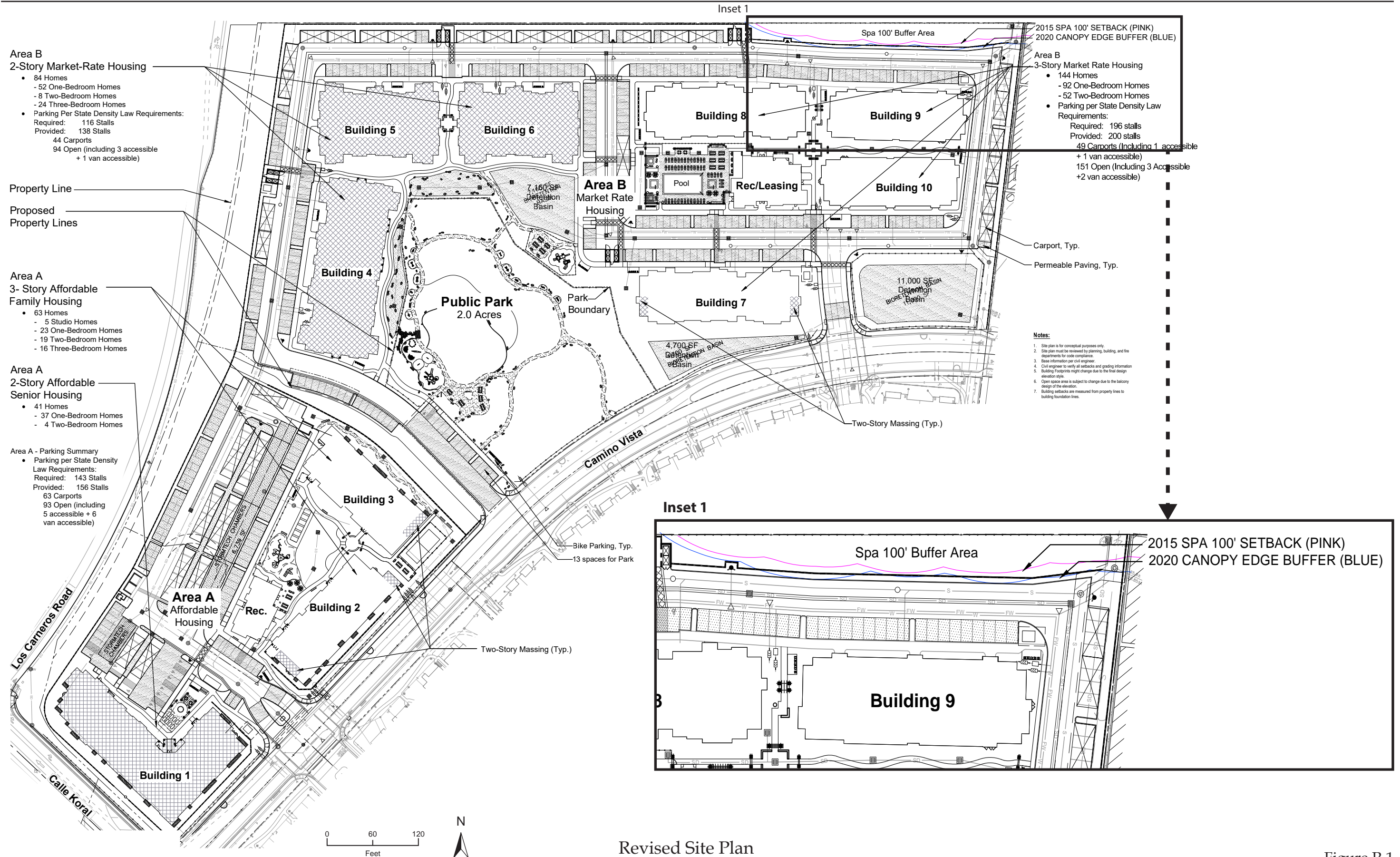
### **Streamside Protection Area (SPA) Setback**

After preparation of the Final EIR in January 2022, the Project Applicant revised the Project to provide a larger setback from the Los Carneros Creek SPA compared to the Project design analyzed in the January 2022 Final EIR. Although not required to do so by the City or CEQA, the Project Applicant also revised the Project design to achieve a 100-foot setback based on both the 2015 existing conditions baseline and the 2020 mapping.<sup>3</sup> The revised site plan is illustrated and the SPA buffer limits are shown in Figure P-1.

---

<sup>3</sup> Watershed Environmental, Inc. mapped the SPA in 2020 as part of the Heritage Ridge Project (Case No. 14-049-FPA-VTM-DP) – Environmentally Sensitive Habitat Biological Survey and Mapping. The 2020 SPA was depicted in Figure 4.3-2 in the May 2021 Revised Draft EIR.





- Area B**  
 2-Story Market-Rate Housing
- 84 Homes
    - 52 One-Bedroom Homes
    - 8 Two-Bedroom Homes
    - 24 Three-Bedroom Homes
  - Parking Per State Density Law Requirements:
    - Required: 116 Stalls
    - Provided: 138 Stalls
    - 44 Carports
    - 94 Open (including 3 accessible + 1 van accessible)

Property Line  
 Proposed Property Lines

- Area A**  
 3-Story Affordable Family Housing
- 63 Homes
    - 5 Studio Homes
    - 23 One-Bedroom Homes
    - 19 Two-Bedroom Homes
    - 16 Three-Bedroom Homes

- Area A**  
 2-Story Affordable Senior Housing
- 41 Homes
    - 37 One-Bedroom Homes
    - 4 Two-Bedroom Homes

- Area A - Parking Summary**
- Parking per State Density Law Requirements:
    - Required: 143 Stalls
    - Provided: 156 Stalls
    - 63 Carports
    - 93 Open (including 5 accessible + 6 van accessible)

- Area B**  
 3-Story Market Rate Housing
- 144 Homes
    - 92 One-Bedroom Homes
    - 52 Two-Bedroom Homes
  - Parking per State Density Law Requirements:
    - Required: 196 stalls
    - Provided: 200 stalls
    - 49 Carports (Including 1 accessible + 1 van accessible)
    - 151 Open (Including 3 Accessible + 2 van accessible)

- Notes:**
1. Site plan is for conceptual purposes only.
  2. Site plan must be reviewed by planning, building, and fire departments for code compliance.
  3. Base information per civil engineer.
  4. Civil engineer to verify all setbacks and grading information.
  5. Building Footprints might change due to the final design elevation style.
  6. Open space area is subject to change due to the balcony design of the elevation.
  7. Building setbacks are measured from property lines to building foundation lines.

Revised Site Plan

To achieve the larger SPA setback, the following Project design changes were made:

- The northern perimeter wall was shifted south
- Northern drive aisle was shifted south approximately 6 feet
- Storm drain, water, sewer and dry utility alignments were shifted south
- Building 8 shifted south approximately 1 to 2 feet to accommodate the drive aisle shift
- Building 9 was shifted approximately 4.5 feet to the south
- Building 10 was shifted approximately 1.5 feet to the south
- Buildings 9 and 10 were revised to reduce exterior wall articulation on both sides by approximately 6 inches
- Exterior architectural elements, for example entry overhangs, were reduced or removed on Buildings 9 and 10
- The landscape breezeway between Buildings 9 and 10 was reduced by approximately 2 feet, resulting in the loss of trellis and other landscape design elements

## Landscaping and Park Design

The proposed park includes an activity trail, 10 fitness stations, tot lot, benches, barbecue area, picnic tables, bicycle parking, level turf play area, Chumash village-themed playground, and native landscaping. Since preparation of the January 2022 Final EIR, as a result of coordination with the City Parks and Open Space Department and EDC, the following changes to the park design were made:

- Coastal Sage Scrub areas were increased
- Trail layout was adjusted
- Additional mounding was added
- Turf/lawn play area was expanded
- Plant palette selections and vegetation placement were revised

In addition to the park design changes and options described above, the applicant revised the landscaping plan as follows based on coordination with EDC:

- Increased the Coastal Sage Scrub along Los Carneros Road, throughout the project site, and in the bioretention basins (total Coastal Sage Scrub increased from 2.25 acres in April to 2.27 acre)
- Plant palette and vegetation placement for the project site was revised

The revised landscape plan, which depicts the proposed park design (Option 1), is included as Figure P-2. In addition to revising the proposed park design with the elements noted above, the applicant has prepared two additional options for the park design to address City and interested party concerns. The park design for Options 2 and 3 are shown in Figures P-3 and P-4, respectively. Option 2 includes more active park design compared to the proposed park design. Specifically, Option 2 includes an activity trail, 10 fitness stations, tot lot, benches, barbecue area, picnic tables, bicycle parking, level turf play area, Chumash village-themed playground, basketball ½-court, disc golf area, and native landscaping. Compared to the proposed park design, Option 2 includes the following changes to the park design:





**LANDSCAPE DESIGN INTENT**

**GENERAL DESIGN:**  
THE LANDSCAPE DESIGN GRACEFULLY BLENDS THE EXISTING WILLOW SPRINGS NEIGHBORHOOD WITH THE PROPOSED HERITAGE RIDGE PROJECT BY USING A SIMILAR PLANT PALETTE AND CARRYING THE TWO RAIL WOOD FENCE ALONG CAMINO VISTA. GRASSY MEADOWS AND DRIFTS OF FLOWERING NATIVE AND CLIMATE ADAPTED PLANTS PLANTED WITH LARGE TREES CREATE AN INVITING STREETSCAPE WHILE FILTERING AND RETAINING STORM WATER. THE PLANT PALETTE INCLUDES PLANTS NATIVE TO AND PROPAGATED FROM THE GOLETA OLOUEN WATERSHED.

**WATER USE:**  
THE PROPOSED PLANT PALETTE FEATURES TOUGH, LOW-MAINTENANCE WATER PLANTS. THE LANDSCAPE IRRIGATION SYSTEMS WILL BE COMPRISED OF EFFICIENT DRIP IRRIGATION AND STREAM ROTATOR HEADS OPERATED BY A CLIMATE-BASED SMART CONTROLLER WITH AN ON-SITE WEATHER MONITORING STATION.

**NEIGHBORHOOD PARK:**  
THE PARK IS SITED ATOP THE HILL AND FEATURES A LEVEL GRASSY PLAY LAWN, PICNIC AREA, AND A CULTURAL INTERPRETIVE PLAYGROUND SURROUNDED BY BEAUTIFUL AND CULTURALLY IMPORTANT NATIVE PLANTS. THE LOW, DRUGHTOLERANT COASTAL SAGE SCRUB PLANTS PROVIDE NECTAR FOR BUTTERFLIES AND FOOD AND FORAGE FOR BIRDS. A WALKING PATH WITH EXERCISE EQUIPMENT WEAVES THROUGH LOVELY FLOWERING NATIVE SHRUBS AND MAJESTIC TREES SUCH AS COAST LIVE OAKS, ISLAND OAK, AND SYCAMORE PLACED UPON MOUNDS FRAME THE PARK AND HIGHLIGHT MOUNTAIN VIEWS.

**AFFORDABLE HOUSING (AREA A):**  
TALL, NARROW OPEN CANOPY AND FLOWERING TREES HIGHLIGHT AND FRAME THE CRAFTSMAN ARCHITECTURE OF THE AFFORDABLE SENIOR AND FAMILY HOUSING BUILDINGS. COLORFUL LANDSCAPED GARDENS FEATURE AMENITIES INCLUDING PLACES TO WALK AND REST, RAISED GARDEN BEDS, PLAY STRUCTURE, PICNIC AND BBQ AREAS, DOG WALK AREA, AND A PICKLEBALL SPORT COURT.

**MARKET-RATE HOUSING (AREA B):**  
CHARMING WATER-VISE PLANTINGS ENHANCE THE CRAFTSMAN ARCHITECTURE. THE MORE FORMAL CENTRAL COURTYARDS OPEN UP TO INFORMAL, NATURAL LANDSCAPE AREAS WHICH BLEND INTO THE PARK. STORM WATER BASINS WHICH ARE DESIGNED TO FEEL LIKE GRASSY MEADOWS WITH LARGE CANOPY TREES.

**AREA A AFFORDABLE HOUSING**

- BIO-RETENTION SWALE
- COMMUNITY VEGETABLE GARDEN
- ACTIVE TURF PLAY AREA / SHALLOW INFILTRATION AREA
- TOT LOT WITH PLAY STRUCTURES FOR 3-5 AND 6-12 YEAR OLD CHILDREN
- PIC AREA WITH PERMEABLE PAVING, TABLES, AND BBQS
- WALL PER CIVIL ENGINEERS PLAN
- TRASH ENCLOSURE PLANTED WITH VINES (TYP.)
- ROSE AND HERB GARDEN WITH FOUNTAIN, RAISED VEGETABLE BEDS, & TABLES
- CARPORTS (TYP.)
- TALL DECIDUOUS TREES SUCH AS: CALIFORNIA SYCAMORE

**AREA B MARKET-RATE HOUSING**

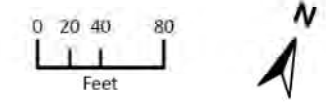
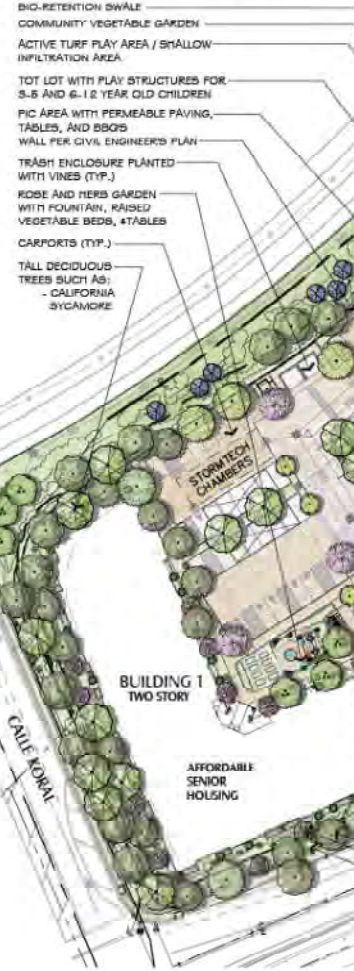
- CARPORTS (TYP.)
- RETAINING WALL PER CIVIL ENGINEERS PLAN
- PERMEABLE PAVING IN OPEN PARKING STALLS PER CIVIL ENGINEERS PLANS
- 2 STORY BUILDINGS PER ARCHITECTS PLAN (TYP.)

- SLOPE PLANTING**
- LOCALLY NATIVE COAST LIVE OAK PLANTINGS SUCH AS:
    - TOYON
    - COFFEEBERRY
    - SPINY REDBERRY
    - HUMMINGBIRD BAGE
  - LOCALLY NATIVE COASTAL SAGE SCRUB PLANTINGS ON SLOPE SUCH AS:
    - CALIFORNIA FUCHSIA
    - SEAQUILT BUCKWHEAT
    - DEERWEED
    - YARROW

- WILDLIFE CONNECTION:**
- A BREAK IN PLANTING TO CREATE A MEANDERING TRAIL FOR SMALL MAMMALS SUCH AS BOBCATS & RACOONS

- TREES SUCH AS:**
- WESTERN SYCAMORE
  - COAST LIVE OAK
  - CALIFORNIA BAY
  - BLUE ELDERBERRY

- SEE SHEET LH-1 FOR HABITAT AREA PLANTING TYPES AND CL-2 FOR PLANT PALETTE LISTS**



Revised Landscaping Plan (with Park Option 1)



PARK AMENITY INSPIRATION



PLANT PALETTE IMAGES



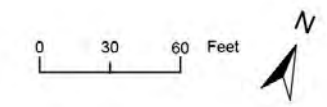
PLANT PALETTE  
NEIGHBORHOOD PARK

Botanical	Common	Water Use*	Botanical	Common	Water Use*
<b>MARSH AT BIOSWALES AND BASINS</b>			<b>ORNAMENTAL NATIVE LANDSCAPE TREES:</b>		
<i>Anemopsis californica</i>	Common	Water Use*	<i>Cercis occidentalis</i>	Western Redbud	Moderate
<i>Artemisia douglasiana</i>	Yerba Mansa	Moderate	<i>Hesperocyparis macrocarpa</i>	Monterey Cypress	Low
<i>Baccharis salicifolia</i>	Muscort	Moderate	<i>Lynbosaurus floribundus agrestifolius</i>	Santa Cruz Island Ironwood	Low
<i>Carex praeacris</i>	Slender Sedge	Moderate	<i>Quercus agrifolia</i>	Coast Live Oak	Low
<i>Dudleya spicata</i>	Salt Grass	Low	<i>Quercus tomentella</i>	Island Live Oak	Low
<i>Juncus meacanus</i>	Mexican Rush	Moderate			
<i>Juncus patens</i>	California Grey Rush	Low	<b>SHRUBS/GRASSES/HERBACEOUS:</b>		
<i>Juncus phaeocephalus</i>	Brownhead Rush	Moderate	<i>Arctostaphylos densiflora</i> 'Howard McMin'	Howard McMin Manzanita	Low
<i>Schoenoplectus americanus</i>	Meadow Barley	Low	<i>Arctostaphylos 'John Doustry'</i>	John Doustry Manzanita	Low
<i>Salix lasiolepis</i>	Chintheater's Bulrush	Moderate	<i>Baccharis pilularis</i> 'Pippen Point'	Coyote Brush	Low
	Arroyo Willow	High	<i>Bouteloua gracilis</i> 'Blonde Ambition'	Blonde Ambition Blue Grama	Low
<b>COASTAL SAGE SCRUB</b>			<i>Calamagrostis foliosa</i>	Rind Grass	Low
<i>Achillea millefolium</i>	Common Yarrow	Low	<i>Carex humilis</i>	Basketry Sedge	Low
<i>Artemisia californica</i>	California Sagebrush	Low	<i>Ceanothus grisea horizontalis</i>	Carmel Creeper	Low
<i>Asclepias fascicularis</i>	Narrowleaf Milkweed	Very Low	<i>Ceanothus 'Dark Star'</i>	California Lilac	Low
<i>Azoreum gibber</i>	Deer Weed	Very Low	<i>Dendroicaeon harfordii</i>	Island Bush Poppy	Low
<i>Diplazium acrostichum</i>	Sucky Monkey Flower	Very Low	<i>Dudleya sp.</i>	Live Forever	Low
<i>Encelia californica</i>	California Encelia	Very Low	<i>Epilobium 'Bowerman's II'</i>	Bowerman's California Fuchsia	Low
<i>Epilobium carum</i>	California Fuchsia	Very Low	<i>Erigeron glaucus</i> 'Wayne Roderick'	Seaside Daisy	Low
<i>Erigeron parvifolium</i>	SeaDrift Buckwheat	Very Low	<i>Eriodictyon crassifolium</i>	Yerba Santa	Low
<i>Eriophyllum confertiflorum</i>	Golden Yarrow	Very Low	<i>Erigeron grande rubescens</i>	Sun Mugwort Island Dutchman	Low
<i>Euschyba californica</i>	California Poppy	Very Low	<i>Franseria californica</i> 'Mount San Bruno'	California Coffeeberry	Low
<i>Franseria californica</i>	Coffeeberry	Very Low	<i>Galeata (Gambelii) speciosa</i> 'Boca Rosa'	Island Bush Snapdragon	Very Low
<i>Isoetes menziesii decumbens</i>	Decumbent Goldenbush	Very Low	<i>Lesningia flagellifera</i> 'Silver Carpet'	Branching Aster	Low
<i>Lupinus microlepis</i>	Arroyo Lupine	Low	<i>Leymus condensatus</i> 'Canyon Prince'	Blue Giant Rye	Low
<i>Rhus integrifolia</i> 'Lemonade Berry'	Low		<i>Muhlenbergia rigens</i>	Deer Grass	Low
<i>Salvia spiana</i>	White Sage	Very Low	<i>Ribes viburnifolium</i>	Catalina Perfume	Low
<i>Salvia leucophylla</i>	Purple Sage	Very Low	<i>Salvia leucophylla</i> 'PA Sal Spreeder'	Purple Sage	Low
<i>Salvia mellifera</i>	Black Sage	Very Low	<i>Verbena blanda</i> 'De la Mesa'	Cedra Island Verbena	Low
<i>Sambucus nigra</i> ssp. <i>ceadexa</i>	Blue Elderberry	Low			
<i>Sida pubiflora</i>	Purple Needle Grass	Very Low			
<b>COAST LIVE OAK WOODLAND</b>					
<i>Quercus agrifolia</i>	Coast Live Oak	Very Low			
<i>Sambucus nigra</i> ssp. <i>ceadexa</i>	Blue Elderberry	Low			
<i>Sida pubiflora</i>	Purple Needle Grass	Very Low			
<b>TREES:</b>					
<i>Juglans californica</i>	California Walnut	Low			
<i>Platanus racemosa</i>	Western Sycamore	Moderate			
<i>Quercus agrifolia</i>	Coast Live Oak	Very Low			
<i>Sambucus nigra</i> ssp. <i>ceadexa</i>	Blue Elderberry	Low			
<b>SHRUBS &amp; HERBACEOUS PLANTS:</b>					
<i>Baccharis pilularis</i>	Coyote Brush	Low			
<i>Franseria californica</i>	Coffeeberry	Very Low			
<i>Heteromeles arbutifolia</i>	Toyon	Very Low			
<i>Koeberlinia cordifolia</i>	Climbing Penstemon	Very Low			
<i>Elymus condensatus</i>	Giant Wild Rye	Low			
<i>Muhlenbergia rigens</i>	Deer Grass	Low			
<i>Rhamnus crocea</i>	Spiny Redberry	Low			
<i>Ribes amaranth</i>	Blister Coffeeberry	Low			
<i>Ribes malinosum</i>	Chaparral Currant	Very Low			
<i>Ribes speciosum</i>	Fuchsiaflower Currant	Very Low			
<i>Salvia spathacea</i>	Hummingbird Sage	Low			
<i>Sisyrinchium bellum</i>	Blue Eyed Grass	Low			
<b>NATIVE MEADOW</b>					
<i>Dudleya spicata</i>	Salt Grass	Low			

LANDSCAPE DESIGN INTENT

**NEIGHBORHOOD PARK:**  
THE PARK IS SITED ATOP THE KNOLL AND FEATURES A LEVEL GRASSY PLAY LAWN AND PICNIC AREA SURROUNDED BY BEAUTIFUL NATIVE FLOWERING PLANTS. THE LOW, DROUGHT TOLERANT COASTAL SAGE SCRUB PLANTS PROVIDE NECTAR FOR BUTTERFLIES AND FOOD AND FORAGE FOR BIRDS. LOVELY FLOWERING NATIVE SHRUBS AND MAJESTIC TREES SUCH AS COAST LIVE OAKS, ISLAND OAK, AND SYCAMORE PLACED UPON MOUNDS FRAME THE PARK AND OBSCURE THE SURROUNDING BUILDINGS, CREATING A SENSE OF WILD NATURAL SPACE. THE WALKING PATH FEATURES A PAR COURSE TO PROMOTE PHYSICAL FITNESS, AND A HALF COURT BASKET BALL COURT WITH ACTIVE PLAY LAWN. THE CHILDREN'S PLAY AREA CONTAINS NATURE PLAY ELEMENTS FEATURING LOCAL CHUMASH CULTURAL ELEMENTS FOR INTERPRETIVE PLAY OPPORTUNITIES. THE PICNIC AREA IS SITED SO THAT VISITORS CAN ENJOY THE MOUNTAIN VIEWS. A FOUR BASKET DISC GOLF COURSE IS PROPOSED ON THE PERIMETER OF THE NATIVE GRASS MEADOW. LOCAL SANDSTONE BOULDERS ARE SCATTERED ABOUT THE PARK, AND ECHO THE BOULDERS SEEN IN THE DISTANT MOUNTAIN RANGE. THE PARK IS DESIGNED TO PROVIDE A SENSE OF WILD NATURE WHERE VISITORS CAN RELAX AMONG LARGE OPEN SPACES UNDER MAJESTIC TREES.

**GENERAL DESIGN:**  
THE LANDSCAPE DESIGN GRACEFULLY BLENDS THE EXISTING WILLOW SPRINGS NEIGHBORHOOD WITH THE PROPOSED HERITAGE RIDGE PROJECT BY USING A SIMILAR PLANT PALETTE AND CARRYING THE TWO RAIL FENCE ALONG CAMINO VISTA. GRASSY MEADOWS OF NATIVE AND CLIMATE ADAPTED PLANTS PLANTED WITH LARGE TREES CREATE AN INVITING STREETSCAPE WHILE FILTERING AND RETAINING STORM WATER.





PARK AMENITY INSPIRATION



PLANT PALETTE IMAGES



PLANT PALETTE  
NEIGHBORHOOD PARK

Botanical	Common	Water Use*
<i>Artemisia californica</i>	Common Yarrow	Low
<i>Artemisia douglasiana</i>	California Sycamore	Low
<i>Baccharis salicifolia</i>	Marocquian Milkweed	Very Low
<i>Carex praegracilis</i>	Deer Weed	Low
<i>Distichlis spicata</i>	Sisal Monkey Flower	Very Low
<i>Juncus mexicanus</i>	California Escallonia	Very Low
<i>Juncus patens</i>	California Fuchsia	Very Low
<i>Juncus phaeosiphalius</i>	Golden Yarrow	Very Low
<i>Hordeum brachyantherum</i> ssp. <i>brachyantherum</i>	Seacliff Buckwheat	Very Low
<i>Schoenoplectus americanus</i>	Chumash Berry	Very Low
<i>Salix lasiolepis</i>	Chumash Berry	Low
	Arroyo Lupine	Low
	White Sage	Very Low
	Purple Sage	Low
	Black Sage	Very Low
	Blue Elderberry	Low
	Purple Needle Grass	Very Low
	Purple Needle Grass	Very Low

Botanical	Common	Water Use*
<i>Acacia reticulata</i>	California Walnut	Low
<i>Artemisia californica</i>	Western Sycamore	Moderate
<i>Artemisia douglasiana</i>	Coast Live Oak	Very Low
<i>Baccharis salicifolia</i>	Blue Elderberry	Low
<i>Carex praegracilis</i>	California Bay	Low
<i>Distichlis spicata</i>	Coyote Bush	Low
<i>Juncus mexicanus</i>	Coffeeberry	Very Low
<i>Juncus patens</i>	Yarrow	Very Low
<i>Juncus phaeosiphalius</i>	Climbing Penstemon	Very Low
<i>Hordeum brachyantherum</i> ssp. <i>brachyantherum</i>	Deer Grass	Low
<i>Schoenoplectus americanus</i>	Spiny Redberry	Low
<i>Salix lasiolepis</i>	Bitter Gooseberry	Very Low
	Chaparral Currant	Very Low
	Fuchsia	Very Low
	Hemlock Sage	Low
	Blue Eye Grass	Low

Botanical	Common	Water Use*
<i>Artemisia californica</i>	Slender Sedge	Moderate
<i>Artemisia douglasiana</i>	Salt Grass	Low
<i>Baccharis salicifolia</i>	Giant Wild Rye	Low
<i>Carex praegracilis</i>	Deer Grass	Low
<i>Distichlis spicata</i>	Purple Needle Grass	Very Low
<i>Juncus mexicanus</i>		
<i>Juncus patens</i>		
<i>Juncus phaeosiphalius</i>		
<i>Hordeum brachyantherum</i> ssp. <i>brachyantherum</i>		
<i>Schoenoplectus americanus</i>		
<i>Salix lasiolepis</i>		

Botanical	Common	Water Use*
<i>Artemisia californica</i>	Western Redbud	Moderate
<i>Artemisia douglasiana</i>	Monterey Cypress	Low
<i>Baccharis salicifolia</i>	Santa Cruz Island Ironwood	Low
<i>Carex praegracilis</i>	Coast Live Oak	Low
<i>Distichlis spicata</i>	Island Live Oak	Low

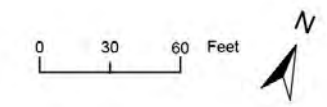
Botanical	Common	Water Use*
<i>Artemisia californica</i>	Manzanita	Low
<i>Artemisia douglasiana</i>	Manzanita	Low
<i>Baccharis salicifolia</i>	Blonde Ambition	Low
<i>Carex praegracilis</i>	Blue Grama	Low
<i>Distichlis spicata</i>	Red Grass	Low
<i>Juncus mexicanus</i>	Berkeley Sedge	Low
<i>Juncus patens</i>	Common Creeping	Low
<i>Juncus phaeosiphalius</i>	California Lilac	Low
<i>Hordeum brachyantherum</i> ssp. <i>brachyantherum</i>	Island Bush Poppy	Low
<i>Schoenoplectus americanus</i>	Live Forever	Low
<i>Salix lasiolepis</i>	Seaside Daisy	Low
	Yerba Santa	Low
	Sun Island Island Bush	Low
	California Coffeeberry	Low
	Island Bush Snapdragon	Very Low
	Branching Sea Aster	Low
	Blue Giant Rye	Low
	Deer Grass	Low
	Catalina Perfume	Low
	Purple Sage	Low
	Cedro Island Verbena	Low

LANDSCAPE DESIGN INTENT

**NEIGHBORHOOD PARK:** THE PARK IS SITED ATOP THE KNOLL AND FEATURES A LEVEL GRASSY PLAY LAWN ENCLOSED BY A NATIVE BUNCH GRASS MEADOW. THE PICNIC AREA IS SURROUNDED BY BEAUTIFUL ORNAMENTAL NATIVE FLOWERING PLANTS. THE LOW, DROUGHT TOLERANT COASTAL SAGE SCRUB PLANTS PROVIDE NECTAR FOR BUTTERFLIES AND FOOD AND FORAGE FOR BIRDS. LOVELY FLOWERING NATIVE SHRUBS AND MAJESTIC TREES SUCH AS COAST LIVE OAKS, ISLAND OAK, AND SYCAMORE PLACED UPON MOUNDS FRAME THE PARK AND OBSCURE THE SURROUNDING BUILDINGS, CREATING A SENSE OF WILD NATURAL SPACE. THE WALKING PATH WEAVES THROUGH A NATIVE LANDSCAPE TO PROMOTE PHYSICAL FITNESS. THE CHILDREN'S PLAY AREA CONTAINS NATURE PLAY ELEMENTS FEATURING LOCAL CHUMASH CULTURAL ELEMENTS FOR INTERPRETIVE PLAY OPPORTUNITIES. THE PICNIC AREA IS SITED SO THAT VISITORS CAN ENJOY THE MOUNTAIN VIEWS. LOCAL SANDSTONE BOULDERS ARE SCATTERED ABOUT THE PARK, AND ECHO THE BOULDERS SEEN IN THE DISTANT MOUNTAIN RANGE. THE PARK IS DESIGNED TO PROVIDE A SENSE OF WILD NATURE WHERE VISITORS CAN RELAX AMONG LARGE OPEN SPACES UNDER MAJESTIC TREES.

**GENERAL DESIGN:** THE LANDSCAPE DESIGN GRACEFULLY BLENDS THE EXISTING WILLOW SPRINGS NEIGHBORHOOD WITH THE PROPOSED HERITAGE RIDGE PROJECT BY USING A SIMILAR PLANT PALETTE AND CARRYING THE TWO RAIL FENCE ALONG CAMINO VISTA. GRASSY MEADOWS OF NATIVE AND CLIMATE ADAPTED PLANTS PLANTED WITH LARGE TREES CREATE AN INVITING STREETSCAPE WHILE FILTERING AND RETAINING STORM WATER.

**WATER USE:** THE PROPOSED PLANT PALETTE FEATURES TOUGH, LOW-MAINTENANCE WATER-WISE PLANTS. THE LANDSCAPE IRRIGATION SYSTEMS WILL BE COMPRISED OF EFFICIENT DRIP IRRIGATION AND STREAM ROTATOR HEADS OPERATED BY A CLIMATE-BASED SMART CONTROLLER WITH AN ON-SITE WEATHER MONITORING STATION.



Park Option 3

Source: True Nature Landscape Architecture, August 2022.



- A basketball ½-court was added in the northern portion of the park
- A turf area was added adjacent to basketball ½-court in the northern most portion of the park
- The trail route was adjusted to accommodate the basketball and turf area
- The locations of the 10 fitness par course locations were moved to accommodate the basketball and turf area
- The Ornamental Grass Meadow was changed to a Native Grass Meadow and shifted to south and east to provide additional play area
- Four disc golf targets were added to the Native Grass Meadow
- The area north of the Native Grass Meadow was mounded to buffer the Chumash Village (tot lot/play area) from the basketball ½-court
- The mounded area south of the Native Grass Meadow was adjusted/expanded to buffer the southern portion of the park from the disc golf area

Option 3 includes a more passive park design compared to the proposed park design. Specifically, Option 3 includes removal of the 10 fitness stations from the proposed park design. As a result, Option 3 includes an activity trail, tot lot, benches, barbecue area, picnic tables, bicycle parking, level turf play area, Chumash village-themed playground, and native landscaping.

## **Affordable Units**

The project description in the January 2022 Final EIR stated that the 332 proposed residential apartment units would include 104 affordable units (41 senior affordable units and 63 family affordable units). One manager unit would be provided within the senior affordable housing development and one manager unit would be provided within the family affordable development. After the Final EIR was prepared, the City determined that per the requirements of 25 California Code of Regulations (CCR) §42, the manager units cannot be designated as affordable units. Therefore, while the affordable housing portion of the project would include a total of 104 units, 102 of the units would be designated as income restricted-affordable units (40 senior affordable units and 62 family affordable units). The total number of units does not change.

## **Responses to Comments Received Prior to Planning Commission Hearing**

CEQA requires that the decision-making body of the lead agency evaluate and respond in writing to any comments raising significant environmental issues on an EIR when those comments are received during the noticed comment period on the EIR (State CEQA Guidelines, § 15088). CEQA does not require a lead agency to provide a written response to comments on an EIR after the close of the official public comment period. (Pub. Resources Code, § 21091(d)(1).) However, a lead agency may prepare a written response to comments if it believes it prudent to do so.

Here, the City received many written comments on the Heritage Ridge Residential Project Revised Draft EIR and Final EIR prior to the Planning Commission Hearings, after the close of the public comment period. Three of those comment letters raised substantive comments on the Revised Draft EIR and Final EIR to which the City believes it prudent to provide specific written responses.

A summary of issues raised in the three comment letters, and responses thereto, are provided below. The comment letters are included as Appendix O of this Final EIR.

Letter 1

**COMMENTER:** Brian Trautwein and Rachel Kondor, Environmental Defense Center

**DATE:** March 25, 2022

**Comment No. 1 (pp. 1-2):** This comment is introductory in nature and summarizes what the letter will cover. It also talks about the EDC, including their background and goals for this Project.

**Response to Comment No. 1:** This comment is general in nature and does not provide specific information as to how the Final EIR analysis is deficient. See Responses to Comments 2 through 36.

**Comment No. 2 (pp. 2-3; Section 1.A.):** This comment provides legal authority for the requirements of an EIR. The comment further states that the Final EIR violates CEQA because it has an incorrect baseline, the biological resource impact analysis is deficient, the land use and policy consistency impact analysis is inadequate, and the narrow Project objectives and range of alternatives undermine the City's discretion to consider a project that avoids or minimizes adverse impacts and complies with important City policies.

**Response to Comment No. 2:** The Final EIR has been prepared in compliance with the State CEQA Guidelines, as implemented by the City of Goleta as the lead agency. The comment is general in nature and does not provide any specific information as to how the Final EIR purportedly violates CEQA. The comment does not reference a specific section of the EIR; therefore, no further response is required. (*Browning-Ferris Indus. v. City of San Jose* (1986) 181 Cal.App.3d 852 [where a general comment is made, a general response is sufficient].)

**Comment No. 3 (pp. 3-4; Section 1.A.1.):** This comment provides legal authority concerning the appropriate environmental setting and/or baseline pursuant to CEQA. The comment states that the Final EIR uses an incorrect baseline because it: (1) deleted a 2021 map that was in the Revised Draft EIR and replaced it with a 2015 map to depict an outdated, irrelevant baseline for the SPA setback, (2) omitted protocol-level surveys for special-status wildlife, (3) relied on reconnaissance-level biological surveys during drought, (4) incorrectly identified Environmentally Sensitive Habitat Area (ESHA) as non-ESHA, and (5) dismissed presence of coastal sage scrub.

**Response to Comment No. 3:** The lead agency has significant discretion in determining the appropriate "existing conditions" baseline. (See *Communities for a Better Env't v. South Coast Air Quality Management Dist.* (2010) 48 Cal.4th 310, 336 ["lead agencies have "discretion to decide, in the first instance, exactly how the existing physical conditions without the project can most realistically be measured, subject to review, as with all CEQA factual determinations, for support by substantial evidence."] As a general rule, physical environmental conditions should be described as they exist at the time the NOP is published. (State CEQA Guidelines, §§ 15125(a)(1), 15126.2(a).)

See Responses to Comment Nos. 2 through 11.

**Comment No. 4 (pp. 4-6; Section 1.A.1.a.):**

The comment states that the baseline used in the Final EIR for the SPA is incorrect because the environmental setting "reset" when the City recirculated portions of its Draft EIR in 2021. The comment states the Final EIR should have used the same 2021 aerial photo/map (Figure 4.3-2) that was used in the Revised Draft EIR because the City announced it was updating the biological resource section of the Revised Draft EIR. Instead, the Final EIR replaced the map in Figure 4.3-2 with a 2015 SPA map, which pre-dates the environmental setting of the Revised Draft EIR. The commenter claims that by using the 2015 baseline, the SPA buffer in reality is actually less than 100 feet because riparian vegetation has grown since 2015 towards the Project site.





#### **Response to Comment No. 4:**

CEQA does not require that the baseline for an EIR be “reset” when it is recirculated. Indeed, the California Supreme Court has held that lead agencies have significant discretion in determining the appropriate “existing conditions” baseline. (See *Communities for a Better Env’t v. South Coast Air Quality Mgmt. Dist.* (2010) 48 Cal.4<sup>th</sup> 310, 336 [“lead agencies have “discretion to decide, in the first instance, exactly how the existing physical conditions without the project can most realistically be measured, subject to review, as with all CEQA factual determinations, for support by substantial evidence”].) Courts have upheld a lead agency’s discretion in deciding not to adjust the existing conditions baseline to reflect changes in environmental conditions occurring during the EIR preparation process, in accordance with CEQA Guidelines, section 15125(a)(1). (*Citizens for Open Gov’t v. City of Lodi* (2012) 205 Cal.App.4<sup>th</sup> 296, 318 [court upheld city’s decision not to update EIR’s urban decay analysis to account for decline in economy].) In fact, contrary to EDC’s claims, without substantial evidence that the later time more accurately captures existing conditions, a lead agency’s decision to use a later baseline has been found to violate CEQA. (*Save Our Peninsula Comm. v. Monterey County Board of Supervisors* (2001), 87 Cal.App.4<sup>th</sup> 99, 124–25 [holding that an EIR failed to comply with CEQA because it relied on “figures generated at the end of the environmental review process, rather than at the beginning, to determine a baseline figure” and thus “preclude[ed] the meaningful comparison of preproject and postproject conditions required by CEQA.”]).

Here, the NOP for the EIR was published on April 6, 2015, which is the environmental baseline for the environmental topics analyzed in the Revised Draft EIR as well as the Final EIR. At no point was the 2015 baseline changed, either in the Revised Draft EIR or the Final EIR. Where more current information was available after 2015 (such as updated biological database searches, literature review, and surveys), the “Setting” sections in the Revised Draft EIR were updated to confirm 2015 baseline conditions. For example, more current information pertaining to air quality, greenhouse gas, transportation, public services, and utilities was provided in the Revised Draft EIR.

Similarly, in the case of biological resources, an updated record search and site surveys were conducted in 2020 and 2021 because state and federal species database submittal (e.g., California Natural Diversity Database) can take time to be updated in the databases. Moreover, should a species be observed and submitted to the databases or included in the Final EIR, this would not affect the 2015 environmental baseline conditions. The purpose of the 2021 literature review and site survey was to update the Species Potential to Occur Table in Appendix D – Biological Resources Assessment and confirm the existing biological conditions of the site, not to update the baseline.

The baseline for biological resources was therefore not changed from the 2015 baseline used in the Draft EIR, and the analyses in Section 4.3, Biological Resources, of both the Revised Draft EIR and Final EIR rely on the site conditions in 2015 (and confirmed by later surveys to still represent existing site conditions), not a historic or hypothetical future condition.

In the case of the Los Carneros Creek, the Streamside Protection Area (SPA) boundary fluctuates over time due to a variety of factors, including riparian canopy growth, drought, and Union Pacific Railroad (“UPRR”) maintenance (UPRR is permitted to maintain the riparian vegetation to their property line since it poses a hazard to its operations). The canopy extends closer to the Project site as riparian canopy growth occurs, and then recedes away from the Project site due to factors such as drought and UPRR maintenance. In addition, UPRR has recently trimmed the vegetation within the SPA in 2022. Thus, the 2021 canopy limit does not provide an accurate representation of the SPA for purposes of this Project (which relies on 2015 baseline conditions) because UPRR retains the authority to trim the vegetation at any time.

During preparation of the Revised Draft EIR, and based on public comments received from EDC, dated June 28, 2021, which expressed concern about the SPA buffer reduction request and environmental baseline, the City revisited the SPA mapping solely for SPA boundary purposes and determined that the SPA buffer from



the outer edge of the arroyo willow riparian canopy extended 33 feet into the Project site. (Revised Draft EIR, p. 4.3-35.) Hence, Figure 4.3-2 of the Revised Draft EIR was revised for SPA boundary purposes, and, as explained above, while the City conducted surveys after the NOP was published in 2015 to confirm existing site conditions, the baseline was not augmented.

The comment claims that reliance on the 2015 baseline allows the Project to encroach into the SPA buffer, therefore resulting in a significant environmental impact. As mentioned previously, the SPA limits fluctuate over time and the City used its discretion to select the most appropriate baseline for the SPA limits. While it is acknowledged that the SPA is 6 feet closer to the Project site in 2021 than in 2015, due to growth of the canopy, this does not result in a significant project impact pursuant to CEQA. Moreover, as indicated above, the canopy growth could be reduced at any time as a result of UPRR maintenance activities. The SPA limit is used to determine consistency with General Plan Policy CE 2.2, which requires a 100-foot SPA setback. Inconsistency with a general plan policy alone does not result in a significant impact pursuant to CEQA, and “is merely a factor to be considered in determining whether a particular project may cause a significant environmental effect.” (See *Lighthouse Field Beach Rescue v. City of Santa Cruz* (2005) 131 Cal.App.4th 1170, 1207.) If the SPA buffer was based on the 2021 SPA limits, as EDC claims it should, the Project would still not result in a significant impact to Los Carneros Creek because the Project site and Los Carneros Creek are hydrologically separated by the filled and compacted UPRR track. In addition, based on either a 2015 or 2021 baseline, disturbance would still occur within the 100-foot SPA buffer area in order to replace the disturbed monoculture coyote brush stand with native landscaping that would provide canopy cover for wildlife north of the proposed sound wall. Redesigning the Project based on the 2021 SPA limit would not change the Project impacts disclosed in the Final EIR. The City therefore determined the existing conditions of the SPA boundary in 2015, based on when the NOP was published, most accurately represents the baseline for determining the limits of the SPA buffer. (State CEQA Guidelines, § 15125(a)(1).)

Nevertheless, the City has recently received a revised site plan from the Project applicant that now meets the 100-foot SPA setback from the 2020<sup>4</sup> SPA limit, and which now also exceeds the 100-foot requirement from the 2015 SPA limit (see Figure P-2). Thus, whether the 100-foot setback requirement is measured from the 2015 or 2020 SPA limits, the revised Project design is consistent with the General Plan.

The commenter cites to *Neighbors for Smart Rail v. Exposition Metro Line Construction Auth.* (2013) 57 Cal.4th 439, which is inapplicable here because that case concerned an EIR that omitted analysis of project’s impacts on existing environmental conditions and instead substituted a baseline consisting of environmental conditions projected to exist in the future. Here, the City exercised its discretion to rely on the baseline for existing conditions at the time the NOP was published (and did not look at future conditions).

**Comment No. 5 (pp. 6-9; Section 1.A.1.b.):** This comment states that the Revised Draft EIR and Final EIR updated biological and other baseline information by using current information, but still relies on the 2015 SPA baseline. This is internally inconsistent and improper to “backdate” the SPA baseline information.

**Response to Comment No. 5 (pp. 6-9; Section 1.A.1.b.):**

See Response to Comment No. 4.

**Comment No. 6 (pp. 9-13; Section 1.A.1.c.):** The comment points to the CDFW comment letter on the Revised Draft EIR for the Project, which stated in part, “In order to analyze if a project may have a significant effect on the environment, the Project related impacts, including protocol survey results for CEQA-rare,

---

<sup>4</sup> The comment letters refer to the SPA boundary mapping as 2021, which was the date the Revised Draft EIR was circulated for public review. However, the boundary of the SPA was most recently mapped in 2020 and was the basis for the revised Project design.



California Species of Special Concern (“SSC”), or California Endangered Species Act (“CESA”) listed species (including fully protected species) that could occur in the Project footprint need to be disclosed...”

The comment states that the Final EIR should have included protocol level, aquatic, and nighttime surveys to adequately disclose the presence of special-status species such as the California red-legged frogs (“CRLF”). The comment notes that although the City’s CEQA Environmental Thresholds and Guidelines Manual requires field searches to be conducted to locate any listed or special-status species that may be present, the Final EIR did not perform protocol level surveys, and instead included a legal disclaimer that species not observed could be present.

The comment also states that the Final EIR identifies CRLF a short distance from the Project site, but incorrectly concludes that there is no potential for threatened species to occur onsite. The comment states that CRLF were detected in September 2001 between Highway 101 and the parallel railroad tracks, indicating that CRLF may be found in noisy areas that lack riparian habitat, such as the Project site. The comment points out that the Final EIR’s finding that suitable CRLF “dispersal habitat is more than 500 feet upstream from the Project site,” is based on a mischaracterization of the City of Goleta Creek and Watershed Management Plan (“CWMP”), which finds there is suitable “habitat for aquatic species” north of Los Carneros Road. Because CRLF is not strictly aquatic, it spends significant time outside of aquatic habitats and in fact, the Project site contains dispersal habitat suitable for the CRLF.

The comment also states that although the Final EIR concludes that no threatened or endangered species will be on the Project site due to lack of suitable habitat, white-tailed kites and monarch butterflies were regularly observed on the Project site – both of which are “rare” species.

The comment states that coyote brush scrub present on the Project site and in the SPA provides habitat for CRLF, and reducing the SPA below the minimum of 100 feet poses a significant impact to biological resources.

**Response to Comment No. 6:** CEQA does not require an agency to undertake a protocol-level survey when assessing whether a project will affect endangered, rare, or threatened species. A lead agency may employ other survey methodologies, such as reconnaissance-level surveys, so long as its choice of methodology is supported by substantial evidence. (*Gray v. County of Madera* (2008) 167 Cal.App.4th 1099, 1124; *Association of Irrigated Residents v. County of Madera* (2003) 107 Cal.App.4th 1383, 1396 [“CEQA does not require a lead agency to conduct every recommended test and perform all recommended research to evaluate the impacts of a proposed project. The fact that additional studies might be helpful does not mean that they are required”]; State CEQA Guidelines, §15204(a).) A lead agency is also not required to follow the recommendations of wildlife agencies on how an impact should be studied, provided that substantial evidence supports the agency’s chosen methodology. (*North Coast Rivers Alliance v. Marin Mun. Water Dist.* (2013) 216 Cal.App.4th 614, 643.)

As explained in Master Response 7: Plant and Wildlife Surveys, of the Final EIR, no special-status plant species, resident special-status wildlife, or habitat were observed during the 2012, 2014, 2015, 2016, 2020, and 2021 reconnaissance-level surveys, and no threatened or endangered species have a potential to occur within the project area due to lack of suitable habitat. The surveys completed from 2012 to 2021 are consistent with City Environmental Thresholds and Guidelines Manual requirements under Final EIR, 6.C.2, Evaluation of Resources on a Project Site, 6.C.2, Condition and Quality, and Appendix A Section B, Biological Survey Guidelines. (Final EIR, pp. 9-21 through 9-22.)

Regarding the commenter’s concern that white-tailed kites were regularly observed on the Project site, the City has already responded to this in its Responses to Comments. As explained in the City’s response to CDFW, and in Master Response 7, Plant and Wildlife Survey, protocol-level wildlife surveys are not required to adequately disclose and evaluate project impacts to wildlife species. (See Final EIR, Master Response 7,



pp. 9-21 through 9-22.) If a special status species has a moderate or high probability to occur and suitable habitat essential to the lifecycle of a species (e.g., breeding habitat) is present then focused or protocol surveys may be required. Other than foraging white-tailed kite, no sign of threatened or endangered species has been observed in the study area during surveys conducted in 2012, 2014, 2015, 2016, 2020, and 2021. Therefore, protocol surveys are not warranted. (Final EIR, p. 9-44.)

With regard to the disclaimer language regarding the limitations, this language is a standard legal disclaimer typically incorporated into biological reports. This comment does not raise any significant environmental issues and therefore no response is required. (State CEQA Guidelines, §§15088(c), 15132(d), 15204(a).)

As discussed in Master Response 6: California Red Legged Frog, in Chapter 9 of the Final EIR, upland dispersal or migration of CRLF south of U.S. 101, where the Project site is located, is not anticipated since pools are not present, and therefore protocol level surveys are not required because the appropriate habitat is not extant. (See Final EIR, Master Response 6: California Red Legged Frog, pp. 9-19 through 9-20; see also Final EIR, pp. 9-44.) Suitable habitat for CRLF is available approximately 0.5 mile *north* of the Project site. In general, CRLF upland habitat surrounding the aquatic breeding and non-breeding habitat would be limited to 1 mile, depending on surrounding landscape and dispersal barriers. North of U.S. 101 there is potential from dispersal through the grasslands present in Bishop Ranch over the 1 mile between Glen Annie (Tecolotito) Creek and Los Carneros Creek, and within Los Carneros Creek north of U.S. 101. This off-site riparian vegetation is separated from the Project site by the UPRR tracks and US 101 off site, and on-site by fill slope and chain link silt fencing, which present a barrier. Moreover, there are no breeding habitat to the south, making it unlikely that CRLF would migrate to the south. Because much higher quality non-breeding dispersal, upland habitat is present in natural areas beginning 0.5 miles upstream where upland habitat connects to aquatic breeding habitat, it is unlikely that CRLF will be present on the Project site. Regardless, if CRLF were to migrate through the Project site, it would be along the same route shown in Figure 9-4 of the Final EIR, in riparian habitat north of the UPRR that would remain after Project implementation. (See Final EIR, pp. 9-19 through 9-20.)

Regarding monarch butterflies, the Final EIR determined that monarch butterfly and white-tailed kite would have a low potential to occur on the Project site. Although they were not observed during surveys conducted for the Project, the Final EIR acknowledges the potential for foraging habitat for monarch butterfly and white-tailed kite to be present on the Project site. (Final EIR, pp. 9-76 through 9-77 [Response 7.32].) The Project would not significantly impact monarch butterflies as the proposed landscape plan includes native and landscape species that provide nectar source for insects, including transient monarch butterflies. In addition, Mitigation Measure BIO-4(b) would regulate the use of pesticides that would indirectly affect regional Monarch butterfly populations. (See Final EIR, pp. 9-73 through 9-74 [Response 7.21].) Impacts would therefore be less than significant.

As discussed extensively in Section 4.3, Biological Resources, in the Final EIR, and in Master Response 5: White-Tailed Kite, there is marginal foraging habitat on the Project site for white-tailed kites. (Final EIR, pp. 9-16 through 9-18.) While the Project site provides 13.29 acres of foraging habitat, it is part of a larger foraging mosaic that includes open habitats at the Santa Barbara Airport, Lake Los Carneros, and Bishop Ranch. Further surveys are not required since nesting or fall/winter roosting habitat is not present in the Project site. Large areas of protected open space will remain in the Goleta area, regardless of development on this Project site. Thus, impacts to white-tailed kite foraging habitat are less than significant. Also refer to Response to CDFW Comment No. 3, below, for additional discussion on why additional surveys for white-tailed kite not required.

The SPA will maintain its 100-foot buffer, and therefore there would be no impacts to biological resources within the SPA. See Response to Comment No. 4 concerning the 100-foot SPA buffer.



**Comment No. 7 (pp. 14, Section 1.A.1.d.):** The comment states the Final EIR’s response to its prior comment (that the Final EIR improperly relied on surveys that were conducted during a severe drought) is conclusory and lacks a basis in evidence. The comment also states that the Final EIR only addresses special status plant species and not wildlife species affected by droughts, such as CRLF. The comment notes that it is possible CRLF were not documented on the Project site because during 2013-2015 and 2021, the region was undergoing a severe drought.

**Response to Comment No. 7:** A lead agency is not required to conduct every test or perform all research, studies, or experimentation at the commenter’s request. (Pub. Resources Code, § 21091(d)(2)(B); State CEQA Guidelines, § 15204(a); see also *Association of Irrigated Residents v. County of Madera* (2003) 107 Cal.App.4th 1383, 1396 [“CEQA does not require a lead agency to conduct every recommended test and perform all recommended research to evaluate the impacts of a proposed project. The fact that additional studies might be helpful does not mean that they are required.”].) An EIR need not provide all information reviewers request, as long as the report, when looked at as a whole, reflects a good faith effort at full disclosure. (State CEQA Guidelines, § 15204(a).) Here, plant and wildlife surveys were conducted not only in 2013, 2015 and 2021 (during the years of severe drought as indicated by the comment), they were also conducted in 2012, 2016, and 2020. (See Final EIR, p. 9-21.) The surveys performed for the EIR throughout a span of 9 years reflects a good faith effort by the City at full disclosure.

Moreover, the comment refers to an article by Nick Welsh, Santa Barbara County’s 10-Year Rainfall Average at ‘All-Time Low’ by Santa Barbara Independent, April 8, 2021. This article is not authoritative and is an opinion article written by Mr. Welsh. Nothing in this article states that plant and wildlife surveys must be conducted during years of average rain, nor does it even state that conducting surveys during drought periods would miss the documentation of CRLF. Additionally, an aquatic survey was conducted in Los Carneros Creek, including the off-site portion of the SPA, on October 1, 2019 as part of the City Creeks and Watershed Management Plan, when the water flow was observed to be a “trickle” and CRLF were not observed (Goleta 2020). The survey was conducted following a season of above average annual rainfall (2018/2019, 128 percent of normal). Within the SPA, Los Carneros Creek is classified as intermittent, and a depth and flow were not observed in the SPA during this survey (Goleta 2020). As discussed in the Final EIR, the SPA does not have the potential to support and sustain a population of CRLF, based on observations following an above average rainfall year. (See Final EIR, pp. 9-19 through 9-20.) CRLF were observed during the city-wide aquatic surveys in October 2019 in upstream suitable aquatic habitat (e.g., perennial streams, freshwater pools with emergent vegetation). This comment is speculative and does not require a further response.

**Comment No. 8 (pp. 15, Section 1.A.1.e.):** The comment states the Final EIR incorrectly finds the mapped coastal sage scrub ESHA (which includes California sagebrush, California encelia, and coyote brush) is not ESHA and inadequately responds to comments submitted by EDC, Hunt and Associates Biological Consulting, and CDFW comments on the Revised Draft EIR.

**Response to Comment No. 8:** Difference in opinion is not enough to carry the burden of showing a lack of substantial evidence to support the lead agency’s findings. (*North Coast Rivers Alliance v. Marin Municipal Water Dist. Bd. of Directors* (2013) 216 Cal.App.4th 614, 643.) Coyote brush scrub, California sagebrush, and California encelia are present on the Project site. Of these species, only coyote brush was observed as dominant or codominant within the mapped on-site ESHA. (Final EIR, p. 4.3-21.) California sagebrush, while present, is less than one percent of the total shrub cover. As explained in Section 4.3, Biological Resources, of the Final EIR, coyote brush scrub on the Project site contains low native species diversity, is infested by invasive species, and has lower overall biological value as compared to coyote brush scrub in a less-disturbed





condition. Based on these characteristics, it is not an example of intact coastal sage scrub that qualifies as ESHA. (See Final EIR, p. 4.3-5; see also Revised Draft EIR, p. 4.3-21.)

California encelia was included in the hydroseed mix applied to the Project site fill for erosion control in 2014 and the presence of this species does not indicate a “naturally occurring” community. (Final EIR, p. 9-10.) Because this was not a “naturally occurring community,” the membership rules for the alliance/association do not apply here. (Final EIR, p. 9-10.) Moreover, according to the Manual of California Vegetation (Sawyer 2009), *Encelia californica* requires greater than 30 percent relative cover in the shrub layer; here, based on 2021 surveys, this species is not present at 30 percent cover in the area mapped at Upland Mustard. Baseline surveys conducted between 2014-2016 and confirmed in 2021 did not detect this species at greater than 30 percent relative cover anywhere on the Project site. As stated in the CDFW comment letter, the community is only considered sensitive if it meets the membership rules:

*Sensitive vegetation communities are defined and have membership requirements, as defined in the Manual of California Vegetation. The DEIR should consider the vegetation as present, even if it was planted as part of mitigation for another project. The presence of these vegetation communities should be acknowledged if they meet the membership requirements. The quality of the vegetation community is considered when mitigation ratios are considered, but the vegetation either meets the membership criteria, or it doesn't.*

Additionally, the hydroseed was not applied as biological resources “mitigation” for Willow Springs II sensitive communities but rather as an erosion control seed mix on the fill stockpile required as part of the Stormwater Pollution Prevention Plan required under state law and reflected in Willow Springs II EIR Mitigation Measure WQ 1-1<sup>5</sup>. Willow Springs II FEIR Mitigation Measure WQ 1-1 requires “revegetation shall include non-invasive, drought-resistant, fast-growing vegetation that would quickly stabilize exposed ground surfaces”. Regardless of the purpose of the hydroseed, the area does not meet any Manual of California Vegetation alliance membership rules and therefore pursuant to CDFW, does not meet the criteria for a sensitive community. Refer to Master Response 2: Coastal Sage Scrub Environmentally Sensitive Habitat, in Chapter 9 of the Final EIR, for additional discussion on why the on-site vegetation communities do not qualify as ESHA.

The comment does not provide an explanation for why the Final EIR inadequately responded to comments submitted by EDC, Hunt and Associates Biological Consulting, and CDFW on the Revised Draft EIR. No further response is required.

**Comment No. 9 (pp. 15-17, Section 1.A.1.e.i.):** The comment alleges the Final EIR omits CDFW’s findings that the coastal sage scrub mapped as ESHA is in fact ESHA and that the Final EIR does not adequately respond to CDFW’s comment that the coyote brush scrub is properly mapped as ESHA because it is locally rare and therefore a sensitive plant community.

The comment also states that the Final EIR inadequately responded to Lawrence Hunt of Hunt and Associates’ comment regarding coyote brush scrub being an early successional stage of coastal sage scrub recovering from disturbance, and therefore is properly ESHA.

The comment also notes that the mapped coastal sage scrub ESHA is environmentally sensitive because 85% of coastal sage scrub in coastal California has already been removed, making it one of the rarest types of ESHA in the City.

---

<sup>5</sup> WQ 1-1 is referenced in Section 4.3, Biological Resources, of the Willow Springs EIR as mitigation for water quality impacts under Impact BIO-4, but does not pertain to sensitive communities.



The comment states that the Final EIR did not respond to new evidence submitted by CDFW, Hunt and Associates, EDC, and Audubon.

**Response to Comment No. 9:** The City adequately responded to the comments it received, including comments received by CDFW, Hunt and Associates, EDC, and Audubon. (See Final EIR, 9-65 through 9-67 [Response to CDFW]; Final EIR, pp. 9-10 through 9-11 [Master Response 3, Sensitive Communities]; Final EIR, pp. 9-68 through 9-82 [Response to Hunt and Associates]; Final EIR, pp. 9-43 through 9-64 [Response to EDC]; Final EIR, p. 9-25 [Response to Scott Cooper, Santa Barbara Audubon Society].) The Final EIR includes CDFW's entire comment, and does not omit any of CDFW's comments. (See Appendix N of Final EIR, p. 219.) Additionally, Master Response 2: Coastal Sage Scrub Environmentally Sensitive Habitat, in Chapter 9 of the Final EIR, included a detailed discussion on why the on-site vegetation communities do not qualify as ESHA. Moreover, a lead agency is not required to follow the recommendations of wildlife agencies on how an impact should be studied, provided that substantial evidence supports the agency's chosen methodology. (*North Coast Rivers Alliance v. Marin Mun. Water Dist.* (2013) 216 Cal.App.4th 614, 643.)

As discussed in the Final EIR, the Coyote Brush Scrub (*Baccharis pilularis* Shrubland Alliance 32.060.00) (G5/S5) "on-site lacks species diversity since the communities were recently (after approximately 2002) established on fill and are regionally not rare or unique" and is therefore not considered sensitive or ESHA. The CEQA Guidelines (§15125(c)) also reflect vegetation communities with a State Rank/Global Rank of 1-3 should be considered sensitive for purposes of the CEQA analysis, unless specified by local regional plans or considered rare or unique to the region regulations, or ordinances. A CDFW comment based on a general "consideration" of sensitivity in the Goleta Area does not override the site specific local or regional regulation under the CEQA Guidelines. The Project includes an amendment to the General Plan that would revise Figure 3-5 of the Open Space Element and Figure 4-1 of the Conservation Element to remove the ESHA designation of Coastal Sage Scrub from the Project site because the on-site disturbed community does not meet the ESHA characteristics of "rare or especially valuable because its special nature or role in the ecosystem" defined under the General Plan.

The Final EIR also fully responds to Hunt and Associates' comment concerning coastal sage scrub succession. As explained in the Final EIR, since both coyote and quail brush vegetation communities, as they exist on the Project site, lack compositional and structural characteristics of intact coastal bluff scrub and coastal sage scrub, these communities should not be considered ESHA per the General Plan, including Policy CE 5.3. As discussed in the Revised Draft EIR, coyote brush is an early native colonizer after disturbance and can eventually facilitate the conversion of non-native grassland to native communities such as oak woodlands or coastal sage scrub (Brennan et al 2018). In spite of the fact that coyote brush is a native shrub common in coastal areas and other locales, its propensity to colonize and expand into areas forming monotypic stands has been the subject of some debate in terms of its perceived pros and cons by different land management agents. For example, California State Parks view the grasslands as historical relics of a lost landscape, the coyote brush invasion is seen as a negative change (Brennan et al 2018). However, the monoculture stands present on-site do not meet the definition of ESHA. (Final EIR, p. 9.9.) Also refer to Response to CDFW Comment No. 4, below, for additional discussion on why the on-site quailbrush scrub and coyote scrub are not considered sensitive.

The comment states that the Final EIR did not respond to the new evidence submitted by CDFW, Hunt and Associates, EDC, and Audubon, but fails to identify which evidence was ignored by the Final EIR. To the contrary, and as stated above, the Final EIR responded to each comment submitted. Because this comment is general in nature, a more specific response is not required. (State CEQA Guidelines, §15088(c).)

**Comment No. 10 (p. 17, Section 1.A.1.e.ii.):** The comment states that the coastal sage scrub mapped as ESHA is ESHA because it supports special-status species and their requisite habitats, including white-tailed kites. General Plan Policy CE 5.3 defines “requisite habitats” for special-status species such as white-tailed kites and monarch butterflies are by definition ESHA.

The comment also states that the Final EIR failed to respond to comments submitted by Hunt and Associates and EDC regarding concerns that the mapped ESHA is ESHA.

**Response to Comment No. 10:** The Final EIR responds to Hunt and Associates that the mapped coastal sage scrub ESHA supports special-status species on page 9-76, incorporating Master Response 5 into its response, and adding that “the loss of 13.29 acres of relatively low-quality ruderal non-native grassland and shrubland habitat (based on small size, fragmented condition, and proximity to existing development and transportation corridors) is not a significant impact. Other than Lake Los Carneros, the Project site is outside of the anticipated foraging range of nesting white-tailed kites at any other known key nesting areas in the Goleta area. The Project site is located an adequate distance from Lake Los Carneros nesting and roosting sites and development of the site would not substantially affect foraging habitat.” (Final EIR, p. 9-76.) In fact, as the Recirculated Draft EIR states, U.S. 101 and UPRR tracks separate the Project site from the Lake Los Carneros foraging habitat. (Revised Draft EIR, p. 4.3-16.)

The Final EIR responds to EDC’s comment that habitats supporting special-status species are by definition ESHA pursuant to General Plan Policies 1.2(1), 8.1, and 8.2 by stating, “[t]he biological surveys conducted for the Project documented that ESHA habitat is not present within the Project boundary. In addition, special status plant and wildlife species have a low potential to occur on-site and a low probability of being impacted by the Project. For these reasons, the Project would be consistent with Policies CE 1.2 and CE 8.2” (Final EIR, 9-61.) The Final EIR went on to refer the commenter to Section 4.9, Land Use of the Revised Draft EIR, and Master Responses 1 and 2.

The comment also states the Final EIR did not respond to evidence submitted by EDC showing the site contains high biodiversity reflected by the 2021 observation of at least 39 bird species in 2021. Responses to comments need not be exhaustive; they need only to demonstrate a good faith, reasoned analysis. (State CEQA Guidelines, §15088(c); *Towards Responsibility in Planning v. City Council* (1988) 200 Cal.App.3d 671, 683.). Here, the Final EIR responded to this comment on page 9-76 by stating, “analysis to the non-special status species mentioned as being observed on the Project site by the commenter is not required. As discussed in Section 4.3, Biological Resources, based on a database and literature review, 47 special status wildlife species are known or have the potential to occur within the vicinity of the Project site. Although no special status species were observed during surveys conducted for the Project, the EIR acknowledges the potential for foraging habitat for monarch butterfly and white-tailed kite to be present on the Project site.” (Final EIR, pp. 9-76 through 9-77.)

Moreover, contrary to the comment’s characterization of the Final EIR, the Final EIR states that the disturbed coyote brush scrub on the Project site has low biological diversity, not that the entire Project site has low biological diversity. It is unclear from the comment how the EDC’s 2021 observation of at least 39 bird species is relevant to the low biological diversity of the disturbed coyote brush scrub. (See Final EIR, p. 9-7; State CEQA Guidelines, § 15088(c) [general response to comment may be appropriate if comment fails to explain the relevance of evidence submitted with it].) No further response is required.

**Comment No. 11 (pp. 18-19, Section 1.A.1.f.):** The comment states that the Final EIR omits coastal sage scrub ESHA in the southern portion of the eastern side of the Project site because it uses incorrect 2015 baseline vegetation conditions. Specifically, the comment states that the dark green vegetation in that portion of the Project site includes coyote brush and *Encelia californica*, and the Final EIR should use the 2021 baseline of when the Revised Draft EIR was recirculated, not the 2015 ESHA map.



The comment further states that hydroseeding does not disqualify an area from meeting the definition of ESHA, and even CDFW finds that habitats established by hydroseeding may still retain important values.

**Response to Comment No. 11:** See Response to Comment No. 4 regarding the proper baseline. CDFW stated in its comment, “The DEIR should consider the vegetation as present, even if it was planted as part of mitigation for another project. The presence of these vegetation communities should be acknowledged if they meet the membership requirements.” (Appendix N of Final EIR, p. 224.) As stated in Master Response 3, Sensitive Communities, the Final EIR acknowledges that *California encelia* is present in the southwest portion of the site mapped as upland mustard, but because this species was included in the hydroseed mix applied in 2014, the presence of this species is not “naturally occurring.” As specified above in Response to Comment No. 8 and under the Manual of California Vegetation, *Encelia californica* require greater than 30 percent relative cover in the shrub layer. Here, based on baseline surveys and confirmed by 2021 surveys, this species is not present at 30 percent cover in the area mapped as Upland Mustard. (Final EIR, p. 9-11.)

**Comment No. 12 (p. 20, Section 1.A.2.):** The comment summarizes CEQA statutes and case law regarding the EIR’s obligation to analyze significant impacts of a proposed project. The comment states that the Final EIR fails to adequately consider the impacts to biological resources.

**Response to Comment No. 12:** See Response to Comment Nos. 12 through 21.

**Comment No. 13 (pp. 20-21; Section 1.A.2.a.):** The comment states that by using the 2015 baseline, the SPA buffer will be less than one hundred feet, and therefore result in significant impacts to the Los Carneros Creek.

**Response to Comment No. 13:** See Response to Comment No. 4 regarding the proper baseline for the EIR. See Response to Comment No. 6 regarding presence of CRLF on the Project site.

**Comment No. 14 (pp. 21-23; Section 1.A.2.b.i):** The comment summarizes the previously submitted Hunt and Associates’ comments regarding the coastal sage scrub on the Project site, and states that the Final EIR fails to consider the significant impact caused by the Project’s removal of the habitat mapped as ESHA.

**Response to Comment No. 14:** This comment has been responded to extensively in Master Response 2: Coastal Sage Scrub Environmentally Sensitive Habitat Area and in Master Response 3: Sensitive Communities, of the Final EIR.

**Comment No. 15 (pp. 23-24; Section 1.A.2.b.ii):** This comment states that the Final EIR fails to analyze impacts to quailbush scrub and coyote brush scrub outside of the mapped ESHA. The comment states that the Final EIR incorrectly states there will be no impacts to ESHA, that white-tailed kite habitat is limited and of low quality, and that the Final EIR omits impacts to monarch butterfly a candidate species for listing under the Endangered Species Act.

**Response to Comment No. 15:** The comment fails to explain why the Final EIR’s analysis concerning the unmapped ESHA, white-tailed kite habitat, and monarch butterfly is incorrect. Because this comment is general in nature, a more specific response is not required. (State CEQA Guidelines, §15088(c).) Moreover, there is substantial evidence in the Final EIR that supports its analysis concerning the lack of ESHA on the Project site, the lack of habitat for the white-tailed kite and monarch butterfly, as seen in Section 4.3, Biological Resources, of the Final EIR, and in Master Response 2: Coastal Sage Scrub Environmentally Sensitive Habitat Area, Master Response 3: Sensitive Communities, and Master Response 5: White-Tailed Kite.



All Project-site vegetation was mapped and described consistent with the *City's Environmental Thresholds and Guidelines Manual* Appendix A Section C.6 and C.7 (page A-11). If General Plan or *Environmental Thresholds and Guidelines Manual* (page A-19) defined coastal sage scrub ESHA had been present it would have been described and mapped as required under the *Environmental Thresholds and Guidelines Manual* Appendix A Section C.7 and General Plan Policy CE 1.3, CE 4.3, and CE 8.3. As discussed in the Final EIR, the coyote brush scrub within and outside of the General Plan Mapped ESHA does not meet the General Plan criteria for ESHA. The concern that removal of ESHA designation will establish a precedent to eliminate similar mapped and unmapped coyote brush scrub occurrences within City limits is a policy concern. As mentioned in the Final EIR, this comment will be passed onto the decisionmaker for consideration.

**Comment No. 16 (p. 24; Section 1.A.2.b.iii.):** This comment summarizes CEQA case law and statutes regarding mitigation measures needed to mitigate significant impacts to the maximum extent feasible. The comment also states the Final EIR incorrectly claims no mitigation is necessary and therefore significant impacts will occur by the loss of mapped and unmapped ESHA.

**Response to Comment No. 16:** A discussion of mitigation measures is required for significant environmental effects only. (Pub. Resources Code, §21100(b)(3); State CEQA Guidelines, §15126.4(a)(3).) Substantial evidence in the EIR, Revised Draft EIR, and Final EIR support the conclusion that there will be no significant impacts to ESHA on the Project site because the coyote brush on the Project site does not qualify as ESHA. (See Final EIR, Section 4.3 Biological Resources.) Thus, mitigation measures are not required here.

**Comment No. 17 (pp. 24-28; Section 1.A.2.b.iv.):** This comment states that because the Project will remove the coastal sage scrub habitat on the site, it must incorporate onsite mitigation at a 3:1 ratio (three acre restored for every acre removed). The comment lists the following sites as appropriate for mitigating the loss of scrub habitat: SPA, park, Wildlife Corridor, Wildlife Corridor Spur connecting to the park, and Extension of the Wildlife Corridor Spur.

The comment then states that if onsite mitigation is not feasible, then off-site mitigation would need to be done through coastal sage scrub restoration in other communities around the Project site.

**Response to Comment No. 17:** Mitigation measures are not required for less than significant environmental impacts. (See Pub. Resources Code, §21100(b)(3); State CEQA Guidelines, §15126.4(a)(3).) Here, Section 4.3 of the Final EIR analyzes and concludes that removal of the ESHA designation of the scrub would not cause a significant impact on scrub vegetation communities and associated bird and wildlife habitat because it does not fall under the definition of ESHA and provides low-quality foraging habitat. (See Final EIR, 4.3-28.) See also Response to Comment Nos. 8 through 10. Accordingly, substantial evidence in the Final EIR supports the City's analysis that impacts would be less than significant, and mitigation is not required.

**Comment No. 18 (pp. 28-29; Section 1.A.2.c.):** This comment states that the Final EIR's proposed mitigation measure of providing a 25-40 foot wide corridor adjacent to Los Carneros Road is inadequate to mitigate impacts to the wildlife corridor. Specifically, the comment cites to CDFW's comments, which recommend a minimum 400-foot wide corridor.

**Response to Comment No. 18:** The Final EIR has already addressed CDFW's comment on pages 9-65 through 9-66, and additional information can be found in Master Response 4: Wildlife Movement, of the Final EIR. In particular, as stated in the Final EIR, the Project would retain a passable corridor for wildlife species. Currently, wildlife generally use the northern and western portion of the Project site, likely due to an existing chain link fence along the southern and eastern project site boundary and the cultural resources area. The northern portion of the wildlife linkage is approximately 185 feet in width mapped outside the Project



boundary between the existing 20-foot fill slope and U.S. 101. The Project's effects on the wildlife corridor would be less than significant because the linkage's existing use has been shown to be limited to smaller urban adapted wildlife species that are able to utilize narrower corridor widths. In addition, the Project would not change the width of the existing wildlife corridor located to the north and west of the Project site, and the Project would retain a passable corridor for use by the small to medium mammals that are currently using the wildlife corridor. The Project would also not move the wildlife corridors closer to an existing roadway. Rather, the Project includes improvements to the existing wildlife corridors to improve the function for wildlife movement. Thus, the provision of a wider corridor is not required. Also refer to Response to CDFW Comment No. 2, below, for additional discussion related to Project impacts to wildlife corridors. In addition, the proposed sound wall along the northern project footprint would shield wildlife from Project human uses. Mitigation Measures BIO-4[a] through BIO-4[c] will reduce indirect impacts – such as noise, nighttime illumination, sedimentation, and presence of domestic predators – to the wildlife corridor. (Final EIR, pp. 9-11 through 9-16; 9-65 through 9-66.)

The CDFW letter includes in-text references to seven studies, incorporated herein by reference, pertaining to corridor design (e.g., width) and edge exposure (Hess and Fischer, 2001), reptile sensitivity to ground vibration/roads (Heatherington, 2005) (Findlay and Houlihan, 1997), domestic animal predation (Courchamp and Sugihara, 1999) (May and Norton, 1996), artificial night lighting impairment including decline of reptile populations (Beier, 2006) (Perry and Fisher, 2006). All references were reviewed under Section 9.0, Master Response 4 Wildlife Movement. The Final EIR Section 4.3, Biological Resources, includes an analysis of the urban adapted medium sized wildlife documented using the site (Dudek 2014, 2019), the existing and proposed wildlife corridor width and sound wall, increased noise, traffic effects, edge effects (e.g., domestic animal predation, increased human presence). The Final EIR includes mitigation measures pertaining to night lighting, landscape chemical management, and domestic animal predations.

**Comment No. 19 (pp. 29-31; Section 1.A.2.d):** This comment states that the Final EIR improperly concludes that impacts to white-tailed kites caused by loss of foraging habitat are less than significant. The comment states that the Project would eliminate all foraging habitat for white-tailed kites, causing them to fly farther and for longer periods of time, and it would disconnect the “corridor” between Lake Los Carneros (where kites nest) and Goleta Slough (where kites forage).

The comment also states that the City's General Plan Policy 8.2 requires protection of special-status species foraging habitat as ESHA.

**Response to Comment No. 19:** As discussed under section 4.3.1 of the Revised Draft EIR, the foraging habitat at the Project site is not essential for the successful breeding of raptors nesting in the Goleta Valley. As discussed in Section 4.3.1.b of the Revised Draft EIR, the Project site lacks suitable perches and nesting habitat, foraging habitat has been subject to ongoing disturbance, the site is fragmented by existing development and infrastructure, and higher value foraging habitat is available in the Project site vicinity (e.g., Lake Los Carneros). Therefore, development of the Project would not substantially limit reproductive capacity of raptors through the loss of foraging habitat. The undeveloped areas 0.2-mile north of the Project site including Los Carneros Lake and west-adjacent open space would continue to provide moderate value foraging habitat for raptors, including for the white-tailed kite if this species were to nest at the Los Carneros Wetland. The incremental loss of 13.47 acres of suitable foraging habitat would not have a significant effect on regional raptor populations, as 13.47 acres represents a small percentage of the raptor foraging habitat in the Goleta area when considering the vast amount of open space available for raptor foraging, which includes protected open space such as the Lake Los Carneros Natural and Historic Preserve, Sperling Preserve, Santa Barbara Shores Park, and Coronado Preserve, totaling 375.1 acres. In addition, approximately 290 acres of undeveloped or restored land at the University of California, Santa Barbara, adjacent to Goleta on the south and west, will remain available in the future, including the 64-acre North



Campus Open Space, the 158-acre Coal Oil Point Reserve, and the 68-acre South Parcel. (See Final EIR, p. 9-17 [Master Response 5: White Tailed Kite].) Also, the Project site is of lower importance to raptors because the Project site provides only approximately 13.27-acres of suitable foraging habitat for raptors, lacks suitable perches and nesting habitat, the limited foraging habitat that is available on the Project site has been subject to ongoing disturbance, and the Project site is fragmented by existing development and infrastructure. (Final EIR, p. 4.3-28.) Therefore, when compared to the larger and more diverse natural habitats in the Goleta area that offer much greater foraging opportunities with a higher diversity of prey, impacts are less than significant. (Revised Draft EIR, p. 4.3-28.)

General Plan Policy CE 8.2 states, “All development shall be located, designed, constructed, and managed to avoid disturbance of adverse impacts to special-status species and their habitats, including spawning, nesting, rearing, roosting, foraging, and other elements of the required habitats.” As stated in Response 5.29 (Final EIR, p. 9-61), the biological surveys conducted for the Project document that ESHA habitat is not present within the Project boundary. Moreover, special status plant and wildlife species have a low potential to occur on-site and a low probability of being impacted by the Project. Thus, the Project would be consistent with General Plan Policy 8.2 See Master Response 1: Stream Protection Area and Master Response 2: Coastal Sage Scrub for a detailed discussion of Project’s consistency with the SPA- and ESHA-related General Plan Policies. (Final EIR, pp. 9-1 through 9-10.) Refer to Master Response 5: White-Tailed Kite for discussion on the lack of white-tailed kite habitat on the Project site. (Final EIR, pp. 9-16 through 9-18.) Also refer to Response to CDFW Comment No. 3, below, for additional discussion related to white-tailed kite foraging habitat on the Project site.

**Comment No. 20 (pp. 31-35; Section 1.A.2.e.):** This comment states that the Project, in combination with other projects such as the Capital Improvement Project (“CIP”) R-13, would have significant cumulative impacts to the wildlife corridor because the projects would increase contact and conflict of wildlife with humans, pets, traffic, degraded habitat, lighting, and noise.

The comment states that CIP R-13 is a reasonably foreseeable project, contrary to the Final EIR, because City Council and City Public Works Department declined to remove Project R-13 from the CIP list in 2021. The comment also points out that the Planning Commission Staff Report depicts the Project with Project R-13 implemented. The comment further disagrees with the Final EIR’s conclusion that the Project would remove the potential to construct CIP R-13, because vacation of the ROW adjacent to the Project would have no bearing on CIP R-13 because CIP R-13 is not adjacent to the Project site.

**Response to Comment No. 20:** The five-year CIP is a planning tool for budgetary purposes and lists a range of both funded and unfunded (potential) projects. While potential CIP R-13 project (*Los Carneros Way* realignment) is located in the vicinity of the Project site, its development is unrelated to the Project. Further, this potential CIP project to realign *Los Carneros Way* is listed as future project in the CIP currently unfunded. Being listed in the CIP as a potential future project does not commit the City to a scope or design and therefore, does not make it a reasonably foreseeable project. (See State CEQA Guidelines, § 15378(a) [activity is a “project” if it has the potential to result in either a direct or reasonably foreseeable indirect change in the environment]; *Kaufman & Broad-South Bay, Inc. v. Morgan Hill Unified Sch. Dist.* (1992) 9 Cal.App.4th 464, 476 [creation of governmental funding mechanism that does not commit agency to implement any particular activity is not a CEQA project].) No funding for staff work, plan development, or construction has been identified nor is there a timeframe identified for any of these necessary items to facilitate this potential CIP project. When it becomes a funded project, then it would be subject to its environmental analysis and public hearing process where the least environmentally impactful alternative would be identified and considered for approval and construction. Further, there are numerous other Capital projects higher on the priority list and this project was not included for funding in the upcoming budget. The commenter erroneously states the right of way exchange associated with the Project is linked



to *Los Carneros Way* when in fact it is for *Los Carneros Road*. As addressed in Response 5.14 (Final EIR, pp. 9-46 through 9-47), the vacation of a portion of the *Los Carneros Road* Right of Way and landscape/slope easement was inherited from the County upon incorporating certain 1986 Right of Ways (ROWs). Based on the foregoing reasons, CIP Project R-13 is not reasonably foreseeable, and therefore is not included in the cumulative impact discussion.

**Comment No. 21 (p. 35; Section 1.A.2.f.):** This comment states that the Project would conflict with local policies protecting biological resources, including ESHA and tree preservation policies.

**Response to Comment No. 21:** Refer to Response to Comment Nos. 22-30.

**Comment No. 22 (p. 36; Section 1.A.3.):** This comment discusses CEQA case law and statutes/regulations concerning an EIR's requirement to discuss the consistency of a project with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental impact. The comment states that the Final EIR fails to disclose inconsistency with several elements of the City's General Plan Conservation Element.

**Response to Comment No. 22:** A project is consistent with a general plan if it is compatible with the plan's objectives, policies, general land uses, and programs and will not obstruct their attainment. (*Orange Citizens for Parks & Recreation v Superior Court* (2016) 2 Cal.5th 141, 153; *San Francisco Tomorrow v City & County of San Francisco* (2014) 229 Cal.App.4th 498, 513; *Clover Valley Found. v City of Rocklin* (2011) 197 Cal.App.4th 200, 238.) General plans balance a range of competing interests, so projects cannot be in perfect conformity with each of the policies; they must instead be compatible with the plan's policies. (*Holden v City of San Diego* (2019) 43 Cal.App.5th 404, 412.)

As the court in *Napa Citizens for Honest Government v. Napa County Bd. of Supervisors* (2001) 91 Cal.App.4th 342, 386 opined, "The body that adopts general plan policies in its legislative capacity has unique competence to interpret those policies when applying them in its adjudicatory capacity. It follows that a reviewing court gives great deference to an agency's determination that its decision is consistent with its general plan. (*Save Our Peninsula Committee v. Monterey County Board of Supervisors*, (2001) 87 Cal.App.4th 99, 142.) 'Because policies in a general plan reflect a range of competing interests, the governmental agency must be allowed to weigh and balance the plan's policies when applying them, and it has broad discretion to construe its policies in light of the plan's purposes. [Citations.]'" As explained in Responses to Comments No. 22-30, the Final EIR adequately includes discussion of the Project's consistency with the City's General Plan, and the City is entitled to great deference in its determination that the Project is compatible with its General Plan policies.

**Comment No. 23 (pp. 36-37; Section 1.A.3.a.):** This comment states that the Project is not consistent with General Plan Policy CE 2.2 because it lacks a 100-foot SPA. The comment further states that EDC's stormwater engineer, RJR, has found feasible design changes, such as distributed stormwater capture and infiltration, would allow the buildings on the Project site to be shifted a short distance to the South away from the SPA and free up room to increase the SPA without reducing the number of affordable or market rate units.

**Response to Comment No. 23:** Policy CE 2.2 states, in relevant part, "[t]he 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." Refer to Response to Comment No. 4 regarding the Project design meeting the 100-foot setback requirement in Policy CE 2.2. Because the Project has been redesigned





to meet the SPA 100-foot buffer from the 2020 SPA limit, the Project does not need to be redesigned per the commenter's suggestion.

**Comment No. 24 (pp. 37-38; Section 1.A.3.b.):** This comment states the Project violates General Plan Policy CE 2.3 because it allows uses – such as the proposed sound wall and drive aisle which would eliminate native vegetation, isolate Los Carneros Creek, and hinder wildlife movement in the SPA - within the SPA which are prohibited by the General Plan.

**Response to Comment No. 24:** Policy CE 2.3 outlines certain compatible land uses and activities allowed in SPAs, such as agricultural operations, fencing and other access barriers, resource restoration, and nature education and research activities. Refer to Response to Comment No. 4 regarding the Project meeting the 100-foot setback requirement. No sound wall or drive aisle will be built within the SPA buffer.

**Comment No. 25 (p. 38; Section 1.A.3.c.):** This comment states the Project is not consistent with Policy CE 2.4 because it fails to place the SPA in a deed restriction or conservation easement to present future subdivision.

**Response to Comment No. 25:** Policy CE 2.4 states that, “[i]n new subdivisions of land, SPAs shall not be included in developable lots but shall be within a separate parcel or parcels, unless the subdivider demonstrates that it is not feasible to create a separate open space lot for the SPA. An easement or deed restriction limiting the uses allowed on the open space lot to those set forth in CE 2.3 shall be required. Dedication of the open space lot or easement area to the City or a nonprofit land trust is encouraged.”

Refer to Response to Comment No. 4 regarding the Project meeting the 100-foot setback requirement for SPAs. The conditions of approval will include the requirement of a conservation easement or similar mechanism be shown on the Final Map and recorded.

**Comment No. 26 (p. 38; Section 1.A.3.d.):** This comment states the Project violates General Plan Policy CE 1.3 because it would fail to protect unmapped coastal sage scrub ESHA.

**Response to Comment No. 26:** Policy CE 1.3 states in relevant part, “Any area not designated on the ESHA map in Figure 4-1 that meets the ESHA criteria for the resources specified in CE 1.1 shall be granted the same protections as if the area was shown on the map.”

Refer to Final EIR, Response 6.4 and Master Response 3: Sensitive Communities regarding why sensitive communities, including unmapped ESHA, are not present on-site. (Final EIR, pp. 9-10 through 9-11; 9-66.) The Project is therefore consistent with General Plan Policy CE 1.3.

**Comment No. 27 (pp. 38-42; Section 1.A.3.e.):** This comment states the Project violates General Plan Policy CE 1.4 because the Project would develop in an area where ESHA was previously illegally removed. Because the illegal removal of mapped ESHA occurred before the City opined in 2012 that the mapped ESHA is not ESHA, the Project cannot go back in time to claim that the mapped ESHA was not ESHA at the time it was illegally removed.

**Response to Comment No. 27:** Policy CE 1.4 states that “[a]ny area mapped as an ESHA in Figure 4-1 shall not be deprived of the protections granted by this plan on the basis that the habitat has been illegally removed or degraded, or because the nature or role of a species that is rare or especially valuable has been eliminated.” The Final EIR’s analysis of the scrub and General Plan mapped ESHA on the Project site is not based on any prior removal of the scrub. It was based on the existing baseline in 2015, and did not take into consideration whether or not any activity may or may not have occurred in the past. Refer to Response to



Comment Nos. 8-11. The Final EIR looks at the existing conditions of the Project site, including the current conditions of the scrub located on the Project site, in looking at whether it meets the definition of ESHA. For purposes of CEQA, the proper baseline is the existing condition of the site, even if that condition may be the result of prior illegal activity. (*Riverwatch v. County of San Diego* (1999) 76 Cal.App.4th 1428, 1451.)

While the Project baseline is 2015 as discussed above, for reference, the grading history of the northern portion of the current site (“northern stockpile”) as reflected in 2012 Willow Springs II Final EIR Section 4.3, Biological Resources is as follows:

*Between 1928 and continuing through the 1950s, the site was used for extensive farming operations, with various portions cultivated in row crops while other areas were planted in orchards. By the early 1960s, agricultural operations were curtailed or greatly reduced and surrounding areas were converted to development. In 1986 and again in 1995, an area encompassing the entire project site and the Willow Springs North property were mass graded, involving clearing and grubbing of trees and other vegetation. Portions of the project site and the Willow Springs North property were also graded in late-1989. (Page 4.3-6)*

Previous grading on the site was not illegal as alleged in the comment letter. Rather, grading permits were issued by the County in 1990 (90-GR-134) and 1997 (97-LUS-079). After the City was incorporated in 2002, subsequent grading was evaluated under CEQA and permitted by the City for stockpiling for Willow Springs I and II and the construction of the Los Carneros Road Overpass in .

**Comment No. 28 (p. 43; Section 1.A.3.f.):** This comment states the Project would violate Policies CE 1.6 and 5.3 because it would allow destruction of coastal sage scrub ESHA.

**Response to Comment No. 28:** Policy CE 1.6 states in relevant part that “ESHAs shall be protected against significant disruption of habitat values, and only uses or development dependent on and compatible with maintaining such resources shall be allowed within ESHAs or their buffers.” As analyzed in the Final EIR, site-specific biological analysis indicates that the Project would not impact ESHAs because although the Project site contains a City of Goleta mapped ESHA, the habitat is no longer present within the Project boundary or immediately adjacent areas. (Final EIR, p. 9-49.) Refer to Responses to Comment Nos. 8-11.

Policy CE 5.3 states in relevant part, “Removal of nonnative and invasive exotic species shall be allowed; revegetation shall be with plants or seeds collected within the same watershed whenever feasible.” As stated in the Final EIR, the habitat on-site does not meet the definition of coastal sage scrub habitat as defined in the General Plan CE Policy 5.3 and would therefore not conflict with this policy. Policy 5.3 defines coastal sage scrub habitat as a drought-tolerant, Mediterranean habitat characterized by soft-leaved, shallow-rooted subshrubs such as California sagebrush (*Artemisia californica*), coyote brush (*Baccharis pilularis*), California encelia (*Encelia californica*) Of these species only coyote brush was observed as dominant within the mapped on-site ESHA. The National Vegetation Classification Hierarchy as Applied to California Vegetation identifies coastal sage scrub as a macrogroup of multiple alliances, none of which includes coyote brush as the dominant alliance species. Under General Plan CE Policy 5.3 coastal sage scrub habitat must have both the compositional and structural characteristics of coastal sage scrub as described in a classification system recognized by the CDFW. However, no other characteristic coastal sage scrub species was observed as occurring even infrequently or sparsely (< 8% cover) by Rincon or Dudek biologists. (Final EIR, p. 9-54.) Thus, the Project does not conflict with either Policy CE 1.6 or 5.3.

**Comment No. 29 (pp. 43-44; Section 1.A.3.g.):** This comment states the Project would violate Policies CE 9.4 and 9.5 because it would destroy protected trees and because the Final EIR did not consider alternatives that would avoid the removal of trees.



**Response to Comment No. 29:** Policy CE 9.4 states in pertinent part, “[t]he following impacts to native trees and woodlands should be avoided in the design of projects: 1) removal of native trees . . .” Policy CE 9.5 states, “[w]here the removal of mature native trees cannot be avoided through the implementation of project alternatives or where development encroaches into the protected zone and could threaten the continued viability of the tree[s], mitigation measures shall include, at a minimum, the planting of replacement trees on site, if suitable area exists on the subject site, or offsite if suitable onsite area is unavailable . . .”

As explained in the Final EIR, the Project would be consistent with Policies CE 9.4 and 9.5 because the on-site willow trees would be replaced at a ratio of 10:1 as required by the Project-specific Conditions of Approval. The landscape plan was revised to reflect replacement of the willow trees. (See Final EIR, p. 9-61.) Impacts to willow trees are less than significant based on the revised Landscape Plan and adherence to General Plan Policy 9 and project-specific Conditions of Approval. Refer to Master Response 8: Individual Trees. (Final EIR, pp. 9-22 through 9-23.)

**Comment No. 30 (p. 44; Section 1.A.3.h):** This comment states the Project would violate Policies 1.2(l), 8.1, and 8.2 because the Project would destroy foraging habitat for white-tailed kite.

**Response to Comment No. 30:** Policy CE 1.2(l) states that “[o]ther habitat areas for species of wildlife or plants designated as rare, threatened, or endangered under state or federal law” is an example of ESHA. Policy CE 8.1 requires the preservation and protection of ESHA-designated habitats, such as nesting and roosting areas for white-tailed kites. Policy CE 8.2 states that “[a]ll development shall be located, designed, constructed, and managed to avoid disturbance of adverse impacts to special-status species and their habitats, including spawning, nesting, rearing, roosting, foraging, and other elements of the required habitats.”

Section 4.9, Land Use of the Revised Draft EIR provides a consistency analysis with these policies, specifically finding that based on survey results, special status plant and wildlife species have a low potential to occur on-site and a low probability of being impacted by the Project. Mitigation would reduce potential impacts to nesting birds, wildlife movement and off-site sensitive communities. (Final EIR, p. 9-55.) Moreover, biological surveys confirmed that ESHA habitat is not present on the Project site, and therefore is consistent with Policies CE 1.2(l), 8.1, and 8.2.

**Comment No. 31 (pp. 45-46; Section 1.A.4.):** This comment states the Final EIR does not include the City’s Threshold of Significance for Traffic Safety Impacts, truck trips, haul routes, identified high collision incident or rate locations, destinations associated with exporting stockpiled soil, which undermines the traffic safety impacts of the Project.

**Response to Comment No. 31:** While the City has not adopted traffic safety thresholds, the City has safety guidelines as adopted by Resolution 20-44, *Guidelines for the Implementation of Vehicle Miles Traveled, including Vehicle Miles Traveled Thresholds of Significance*. The Project abuts Camino Vista which is identified as a local street in the General Plan (TE-3.6). The Project has been designed and reviewed based on the standards outlined in the General Plan, the safety guidelines of Resolution 20-44, and shall comply with the City roadway engineering standards, all of which are predicated upon the safe movement of traffic of all types (vehicles, bicycles, pedestrians). Lastly, the haul and construction trips are short term in nature and will use the signalized intersection at Los Carneros and Calle Koral to access U.S. 101. The hours of haul and construction deliveries will be limited to non-peak period as stated in the conditions of approval to minimize safety conflicts. As a Condition of Approval, the Applicant will also be required to provide a traffic control plan during hauling and construction activities as well to minimize safety conflicts.

In addition, contrary to the comment, the GHG section of the Final EIR looks at the construction activity for the Project, including haul truck trips, stating, “[c]onstruction of the Project would generate temporary GHG emissions primarily associated with the use of off-road construction equipment, on-road hauling and vendor (material delivery) trucks, and worker vehicles. . . . After public circulation of the Revised Draft EIR in May 2021, the soil export amount was updated to 92,000 cubic yards, would result in fewer haul truck trips and a shorter hauling period than what was modeled for both scenarios. Therefore, the estimates of emissions from construction activity that are included in this section are greater than, and thus, more conservative than the actual pre-construction emissions for the Project.” (Final EIR, p. 4.6-14.) Based on this analysis, which includes the truck trips and haul routes, the Final EIR determined that impacts would be less than significant. (Final EIR, pp. 4.6-14 through 4.6-15)

**Comment No. 32 (p. 46; Section 1.B.):** This comment states the Project objective that identifies a specific range of units per acre (20 to 25) is so limited that it unduly narrows the range of alternatives the City can analyze.

**Response to Comment No. 32:** The EIR provides a clearly written statement of objectives that helped the City develop and evaluate a reasonable range of five different alternatives that would reduce or avoid the project’s environmental impacts. (See Final EIR, p. 6-1.) CEQA does not require more, and the commenter cites no authority to the contrary. (State CEQA Guidelines, § 15124(b).)

EDC faults the following Project Objective as impermissibly narrow:

*Create an infill housing development project that meets the density range of 20 to 25 dwelling units per acre as envisioned for the site in the City’s General Plan.*

(Final EIR, p. 6-1; EDC Letter, p. 46.)

A project’s compliance with the City’s General Plan, however, does not constitute a violation of CEQA. There is nothing improper about this objective, and courts have upheld similar, and more narrow, objectives. (See *Ocean Street Extension Neighborhood Assn. v. City of Santa Cruz* (2021) 73 Cal.App.5th 985, 1014 [rejecting petitioner’s challenge to two project objectives specifying a goal of providing 40 housing units and incorporating the City’s General Plan goals].) Moreover, the EIR analyzes alternatives that provide for a wide range of housing units—between 167 and 332 units. (Final EIR, p. 6-17.) The EIR thus analyzed a reasonable range of alternatives in compliance with CEQA.

**Comment No. 33 (pp. 46-47; Section 1.C.):** This comment states the Final EIR did not include information regarding the destination for the exported material that will be taken from the Project site, making it unclear how many VMT will be necessary to export the soil. The comment also states that the Project would encroach into the 100-foot SPA buffer and therefore the Project requires a Major Conditional Use Permit, as required by General Plan Policy CE 2.2(b).

**Response to Comment No. 33:** Generally, an adequate EIR must be "prepared with a sufficient degree of analysis to provide decisionmakers with information which enables them to make a decision which intelligently takes account of environmental consequences." (*Dry Creek Citizens Coalition v County of Tulare* (1999) 70 Cal.App.4th 20, 26.) However, the project description "should not supply extensive detail beyond that needed for evaluation and review of the environmental impact." (State CEQA Guidelines §15124; *Save Round Valley Alliance v County of Inyo* (2007) 157 Cal.App.4th 1437.) In *Dry Creek*, the leading case on the level of detail in a project description, the court noted that the CEQA Guidelines require a "general description" of a project’s characteristics. (*Id.*, *supra*, 70 Cal.App.4th at 28.) This requirement means that the EIR must describe the main features of a project, rather than all of the details or particulars. This is



consistent with the principle in State CEQA Guidelines §15140 that EIRs should be prepared in plain language so that the public can readily understand them. This requirement for a general description, however, must be balanced against the need to provide enough information so that the decision-makers and the public can understand the full scope of the project. (*Id.*, *supra*, 70 Cal.App.4th at 28.)

The VMT analysis determined that the Project is screened out from VMT screening criteria threshold for affordable housing and, based on the screening, VMT impacts would be less than significant. (Final EIR, p. 4.13-7.) Thus, the analysis appropriately looked at traffic impacts, and the omission of the number of haul truck trips and the destination for this exported material from the Project description is not a fatal flaw. The Final EIR appropriately looked at traffic impacts, and therefore the Project Description did not need to include the extra details or particulars of the haul truck trips and the destination of these trips.

Refer to Response to Comment No. 4 regarding the SPA 100-foot setback, and therefore the Project Description does not require a Major Conditional Use Permit to reduce the SPA. Further, this project is being reviewed under the previous zoning code in accordance with Section 17.01.040 (E), which states

*“At the applicants election, a project application that is determined to be complete prior to September 1, 2019, shall either:*

- a. Be processed under the zoning regulations in effect at the time of the determination; or*
- b. Be processed under this Title.*

The Project is subject to the previous zoning code, therefore is not subject to the Streamside Protection Reduction process outlined in Section 17.30.070 (C) which was adopted after the Project application was deemed complete.

**Comment No. 34 (pp. 47-48; Section 1.D.):** This comment states the Final EIR must include an alternative that avoids or substantially lessens impacts to biological resources and land use. In particular, the comment suggest two alternatives the City should consider:

- i. **Protect SPA setback** by (1) shifting development in the northeast portion of the Project site (including Buildings 9 and 10, sound wall, and perimeter landscaping) further to the south, and/or (2) reducing the number of market rate units.
- ii. **Protect mapped ESHA and Protected Trees** by (1) maintaining and restoring the habitat within the proposed park, and (2) reducing the development footprint.

**Response to Comment No. 34:** An EIR need not consider all potential alternatives to a project. Instead, an EIR need only discuss a "reasonable range" of alternatives to reduce potential significant impacts (State CEQA Guidelines §15126.6(a).) If an EIR evaluates a reasonable range of alternatives, it is not required to study additional alternatives suggested by members of the public or other agencies. (*South of Market Community Action Network v City and County of San Francisco* (2019) 33 Cal.App.5th 321, 345; *Center for Biological Diversity v Department of Fish & Wildlife* (2015) 234 Cal.App.4th 214, 256; *City of Maywood v Los Angeles Unified Sch. Dist.* (2012) 208 Cal.App.4th 362, 420.) The EIR has determined that there will be less than significant impacts on biological resources given the location and type of resources present on the site. (See EIR, Section 4.3 – Biological Resources; Revised Draft EIR, Section 4.3 – Biological Resources; and Final EIR, Section 4.3 – Biological Resources.)

Regarding the first alternative suggested by the commenter to protect the SPA setback, the City need not consider this alternative because the Project meets the 100-foot SPA buffer and therefore this alternative’s advantages do not substantially differ from the Project in terms of meeting the SPA setback. (See *Save San*



*Francisco Bay Ass'n. v. San Francisco Bay Conserv. & Dev. Comm'n* (1992) 10 Cal.App.4th 908, 922.) Refer to Responses to Comment Nos. 8 through 11 regarding how the Project protects the SPA setback.

The second alternative suggests protecting mapped ESHA and trees, which has already been responded to in Response 5.36 (Final EIR, p. 9-63 through 9-64). Maintaining and restoring habitat within the proposed park is not required, and is not one of the Project objectives. (State CEQA Guidelines, §15126.6(c) [alternatives must be able to attain most of basic project objectives].) Moreover, the coyote brush scrub on the Project site does not meet the definition of ESHA nor does it qualify as a CDFW sensitive natural community. As such, removal of this habitat would not result in a significant impact and maintaining and restoring the habitat is not required pursuant to CEQA or the City's General Plan.

The commenter does not provide any support or explanation for why its proposed alternatives offer substantial environmental advantages in comparison with the Project or alternatives studied in the EIR, and therefore does not meet its burden in showing that the range of alternatives considered in the EIR is manifestly unreasonable in the absence of other feasible alternatives it claims it should have included. (See *South of Market Community Action Network v City & County of San Francisco* (2019) 33 Cal.App.5th 321, 345 [plaintiffs failed to meet their burden to show alternatives considered in EIR were manifestly unreasonable and that their suggested alternatives were feasible and would attain most basic project objectives]; *City of Maywood v Los Angeles Unified Sch. Dist., supra* [challengers failed to identify any evidence that their proposed alternatives were necessary to informed decision-making or were either feasible or environmentally superior to alternatives studied in EIR]; *Mann v Community Redev. Agency* (1991) 233 Cal.App.3d 1143 [challengers offered no evidence showing that their proposed alternative offered substantial environmental advantages in comparison with project or similar alternative studied in EIR].)

**Comment No. 35 (p. 48; Section II.)**: This comment states the Planning Commission should not recommend approval of the Project because it is inconsistent with General Plan policies.

**Response to Comment No. 35**: Refer to Response to Comment Nos. 22 through 30.

**Comment No. 36 (pp. 48-49; Section III.)**: This comment summarizes the prior comments in the letter.

**Response to Comment No. 36**: See Response to Comment Nos. 1 through 35.



*Letter 2*

**COMMENTER:** Sierra Club, Santa Barbara Group

**DATE:** March 25, 2022

**Comment No. 1:** This comment expresses concern over the baseline used in the Final EIR and states that while all the information in the Final EIR was updated ,the SPA baseline in Figure 4.3-2 was not.

**Response to Comment No. 1:** Refer to Responses to EDC’s March 25, 2022 Comment No. 4.

**Comment No. 2:** This comment states the Project does not comply with the City’s General Plan/Coastal Land Use Plan Conservation Element Policy CE 2.2 because by relying on an improper baseline, the SPA will not meet the minimum 100-foot buffer.

**Response to Comment No. 2:** Refer to Responses to EDC’s March 25, 2022 Comment No. 4.



Letter 3

**COMMENTER:** Erin Wilson-Olgin, California Department of Fish and Wildlife

**DATE:** April 25, 2022

**Comment No. 1 (pp. 1-2):** This comment is introductory in nature and states that the CDFW has reviewed the Final EIR, and states CDFW has additional comments on the Final EIR.

**Response to Comment No. 1:** This comment is general in nature and does not provide specific information as to how the Final EIR analysis is deficient. See Responses to Comments 2 through 5 below.

**Comment No. 2 (pp. 2-5):** This comment states that the proposed 25 to 40 foot wide wildlife movement corridor is not adequate in size to ensure the continued, unimpacted use of the corridor. The comment expresses concern that the wildlife movement corridor will increase wildlife death. The comment also expresses concern regarding road noise and vibration, lighting, and increased traffic on wildlife movement. CDFW states the wildlife corridor should be located 1,000 feet from any human disturbance, recommends a more robust baseline study and long-term monitoring of corridor effectiveness, and recommends measures to reduce light pollution.

**Response to Comment No. 2:** As explained in the Final EIR, the Project's effects on the wildlife corridors adjacent to the Project site would be less than significant. The linkage's existing use has been shown to be limited to smaller urban adapted wildlife species that are able to utilize narrower corridor widths. As discussed further below, the only wildlife species documented to be using the wildlife corridors were coyote, bobcat, raccoon, striped skunk, and opossum, all of which are small and medium sized and well documented urban-adapted species, which do not require a 1,000 foot (ft) wide movement corridor that is devoid of human disturbance. The commenter states "The current site starts at 1,000 feet wide at the northern boundary and narrows to 400 feet at the southern boundary." The parcel is approximately 300 feet wide at the narrowest southern portion and existing conditions include the cultural area exclusion area (480 feet at the widest) and a mix of perimeter/internal chain link fencing; the site does not currently support a 1,000 to 400 foot wildlife corridor. The width of the corridors would not change in the northern portion and on the western portion of the Project site, and the Project would retain a passable corridor for these species' use of the western portion of the Project site in the developed condition.

A project-specific wildlife corridor study has been conducted for the Project, as discussed in Final EIR Sections 4.23, 8.0, and 9.0. Appendix D of the Final EIR contains the *Wildlife Corridor Analysis for the Heritage Ridge Project* prepared by Dudek on September 2, 2014. This analysis included use of game cameras stationed at 11 locations within the Heritage Ridge Project site, in Los Carneros Creek, the Los Carneros Wetland and at the culvert that extends beneath Hollister Avenue, between January and February 2013 (32 days) and January and June of 2014 (160 days). The analysis also included 9 tracking and evening spotlight surveys by professional wildlife biologists. This analysis revealed wildlife generally use the northern and western portions of the Project site, likely due to the existing chain link fencing that creates a movement barrier along the southern and eastern Project site boundary<sup>6</sup> and the cultural resources area. The wildlife corridor study also found that wildlife are using various concrete culverts and channels in the vicinity of the Project site including: (1) a box culvert beneath Hollister Avenue (100 ft long x 8 ft wide x 16 inches tall), (2) an open concrete trapezoidal channel adjacent to the northbound freeway offramp (420 ft long x 22 ft wide), and (3) a concrete box culvert under United States 101 (US 101) (575 ft long x 18 ft wide x 6 ft tall), and (4) where channelized Los Carneros Creek crosses beneath Hollister Avenue.

---

<sup>6</sup> Note that during the study, several openings were cut in the existing chain link fencing in areas where wildlife traveled or could through the site on the way to and back from the Los Carneros Wetlands. (Dudek 2014, page 9).





The camera footage showed these five species were using these concrete channels and culverts to cross under US 101. The wildlife corridor study demonstrated that the 16-inch-tall concrete box culvert beneath Hollister Avenue, between the Los Carneros Wetland and the Goleta Slough, is too small to allow passage of large and perhaps some medium-sized mammals. No wildlife movement was observed where channelized Los Carneros Creek crosses Hollister Avenue. These small to medium size mammals are readily traversing through the existing US 101 open concrete channel and culvert that are 18 to 22 ft wide.

The project-specific results are consistent with the Los Carneros Creek camera studies completed as part of the *Wildlife Corridor Study Report* (Dudek 2020a), which is Appendix E of the *City of Goleta Creek and Watershed Management Plan* (City of Goleta 2021) (CWMP). In June and July 2020, wildlife tracking and camera surveys were conducted in Los Carneros Creek north of US 101 and detected the same medium (bobcat, coyote, raccoon, striped skunk, Virginia opossum) and smaller mammal species (rabbit, and rodent) (Appendix E, page 372) north of US 101. Camera studies did not detect wildlife in Los Carneros Creek at Hollister Avenue. Larger species such as deer, bear, or mountain lion were not detected in either the project-specific or city-wide study areas (Dudek 2014 and 2019). This analysis included all wildlife corridors within the City creeks, including in the vicinity of the Project site. The project specific and City-wide studies provide a robust baseline. Therefore, additional studies are not required to determine existing wildlife movement within the project and vicinity. Long-term monitoring and reporting is not required since impacts would be less than significant.

The Project would not change the width of the existing wildlife corridor located to the north and west of the Project site, and the Project would retain a passable corridor for use by the small to medium mammals that are currently using the wildlife corridor. The Project would also not move the wildlife corridors closer to an existing roadway. Rather, the Project includes improvements to the existing wildlife corridors to improve the function for wildlife movement. The Preliminary Landscape Plan includes a 25 to 40-foot-wide wildlife connection along the west perimeter of the site to allow for movement of mammals and other wildlife species between the Santa Ynez Mountain foothills and Los Carneros Wetland to the south. The Project also includes vegetation to the north of the Project site, along the proposed soundwall. The soundwall would also shield wildlife from human uses on the Project site. A native plant palette would provide vegetative cover that is generally preferred by small and medium sized mammal species for foraging and shelter to support wildlife movement. The project design would ensure wildlife would continue to move the 75 foot distance across the intersection of Calle Koral and Camino Vista to the Los Carneros Wetland, similar to existing conditions. An existing 132-foot chain link fence, which bisects the corridor in the northwestern western portion of the Project site, would be removed. Without the fence, more wildlife movement opportunities through the corridor would improve compared to existing conditions. Because the Project would maintain and improve the existing wildlife corridors and would not significantly affect existing wildlife movement along the Project site boundary, larger wildlife corridors are not required to reduce impacts to wildlife movement pursuant to CEQA. The 25 to 40-foot wide wildlife connection along the west perimeter of the site is sufficient to support movement of these species, as these species are currently utilizing 18 to 22 foot wide channels and culverts in the vicinity of the Project site.

The wildlife corridors along the project boundary are already exposed to noise and vibration from Los Carneros Road, Union Pacific Railroad, and US 101. As detailed in Section 4.10, *Noise*, of the Final EIR, the Project would not result in a substantial increase in traffic noise or vibration levels. Therefore, the Project would not substantially increase road noise or vibration at the wildlife corridors compared to existing conditions.

The proposed wildlife connection would not funnel wildlife movement into new routes that would further endanger their survival, such as onto a road or into fencing hazards. Wildlife would continue to move 75 feet through the intersection of Calle Koral and Camino Vista to Los Carneros wetland as documented in the



project specific study and CMMP. Based on the *Updated Traffic and Circulation Study* (TK Consulting, 2021) prepared for the project, the Project would generate 143 additional trips traveling from Los Carneros Road to Calle Koral and from Calle Koral to Los Carneros Road in both the a.m. and p.m. peak hours, which is representative of the anticipated trips at the adjacent Calle Koral/Camino Vista intersection. This increase in traffic would not substantially increase wildlife and vehicle collisions in the early morning and evening hours during peak commute hour. Traffic trip increases would generally occur during daytime hours when wildlife is least active.

CDFW includes the following statement, which is citing a federal study: “The Federal Highway Administration Research and Technology Report (FHWA-HRT-08-034) states wildlife vehicle collisions are most prevalent in the early morning (5-9 a.m.) and at evening (4-12 a.m.), which is when traffic volume would be significantly increased during commuting times.” Peak hour trips are considered between 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m. Less than 2 percent (1 of the 80) wildlife observations were during these hours during wildlife studies conducted in the area. The majority of the wildlife camera observations (79 of 80) at Calle Koral and Camino Vista occurred at night between 7:00 p.m. and 6:30 a.m. Due to the small number of wildlife observed crossing the intersection during peak traffic hours, the Project’s increase in traffic trips at this location would result in a less than significant impact related to potential vehicle and wildlife collision. CDFW also expressed concern that the traffic analysis does not consider recent adjacent projects. As discussed in Section 4.13, *Transportation*, the traffic analysis was updated in 2021 to reflect the recent completion of the Village at Los Carneros residential project located directly across the street, the change in branding from one big box store to another (Kmart to Target) approximately 1 mile to the west of the site and update the cumulative project analysis list in the Traffic Report appendix. The VLC project was under review at the time of the initial submittal of the Traffic Report and the traffic generated by the big box store was part of the existing traffic setting for the project; hence the existing and projected traffic from these uses was part of the initial existing cumulative traffic analyses. Due to the Project design maintaining the wildlife corridor, the lack of a Los Carneros Creek watershed wildlife linkage to Goleta Slough habitat below Hollister Avenue, and the low number of wildlife utilizing the crossing at Calle Koral and Camino Vista, direct impacts to wildlife movement would be less than significant.

CDFW’s recommendations to reduce light pollution at the wildlife corridor are already incorporated into the Project design and mitigation measures. The Project design includes an 8-foot-high sound wall at the north edge of the Project site, between the proposed residential development and the existing wildlife linkage to the north of the Project site. The soundwall would shield the wildlife linkage from indirect impacts from noise and lighting. In addition, as required by Mitigation Measure AES-5, in Section 4.1 *Aesthetics*, all exterior lighting will be low intensity, low glare, and hooded to direct light downward and prevent spill-over onto the adjacent parcels. Mitigation Measure AES-5 also requires that lights be dimmed after 11 p.m. to the maximum extent practical without compromising public safety. Additionally, Mitigation Measure BIO-4(a), in Section 4.3 *Biological Resources*, requires that light and glare from the new residential development be directed away from adjacent wildlife corridor and open spaces. The soundwall and lighting requirements would reduce indirect lighting impacts to wildlife movement to less than significant.

**Comment No. 3 (pp. 5-6):** This comment states that CDFW disagrees with the conclusions of the Final EIR that the Project site provides marginal foraging habitat for white-tailed kite and no significant impacts to white-tailed kite would occur. The comment states that CDFW records indicate white-tailed kites roost in saltgrass and non-native communities, which are present on the Project site. CDFW recommends surveys be conducted for white-tailed kite throughout the Los Carneros/Project/Goleta Slough areas, preferably over multiple years, and that impacts be offset through conservation of replacement habitat.

**Response to Comment No. 3:** Impacts to raptors, including white-tailed kite, were disclosed in the Final EIR. As discussed in Section 4.3, *Biological Resources*, in the Final EIR, white-tailed kite have been observed as



transients and foraging on the Project site. However, raptors do not have the potential to nest at the Project site due to lack of suitable nesting habitat, such as tall trees or suitable manmade structures. The Project site also lacks habitat for white-tailed kite or other raptor species that roost communally. Therefore, development of the Project would not substantially reduce or eliminate quantity or quality of raptor nesting or communal roosting areas. As discussed below, since impacts to white-tailed kite are less than significant, mitigation such as conservation of replacement white-tailed kite foraging habitat is not required.

As discussed in Section 4.3, *Biological Resources*, of the Final EIR, the Project site habitat includes coyote brush scrub (3.3 acre), quailbush scrub (4.9 acres), upland mustards (4.1 acres), non-native grassland (1.7 acre), and disturbed (3.4 acres). Contrary to that stated in the CDFW letter, saltgrass does not exist on the Project site. The Project site includes 1.7 acres of non-native grassland; however, this is a relatively small area and it is unlikely that white-tailed kite roosts in this grassland or on the ground. White-tailed kites roost in trees together in the evening, in communal roosts which range in size from a few birds to over 100 birds. Raptors do not have the potential to nest or roost at the Project site due to lack of suitable nesting habitat, such as tall trees or suitable man-made structures. As stated in Section 4.3, *Biological Resources*, of the Final EIR, there are no historical records or observations of active raptor nests or communal roosts at the Project site or within the 100-foot study area surrounding the Project site. Section 4.3, *Biological Resources*, analysis includes a review of site-specific surveys, analysis, and biological monitoring completed for Willow Spring II and the Los Carneros Overpass projects overlapping the study area (City of Goleta 2011 and 2012). Records reviewed in May 2022 include the California Natural Diversity Database (CDFW 2021); Santa Barbara Airport and More Mesa protocol surveys (Dudek 2017, Rincon 2010); Santa Barbara Audubon Society records, including Santa Barbara County Breeding Bird Study (Audubon 2022a) and Tecolote Newsletter (Audubon 2022b); citizen science databases including inaturalist (2022) and ebird (2022); and recent regional and project specific biological studies (Audubon 2022c; More Mesa Preservation Coalition 2022; Rincon 2010, 2020, and 2022; Dudek 2017, 2019; 2020a, and 2020b; Lehman 2020; City of Goleta 2006, 2011, 2012, 2014, 2020) and were confirmed to not contain any observation records of white-tailed kites ever roosting on the Project site. In addition, it is unlikely that white-tailed kite would ground roost in the on-site non-native grassland communities, given the potential presence of predators such as coyote and bobcat. White tailed kites have not been observed or recorded ground roosting in Goleta (see references above).

The Final EIR acknowledges that the Project would result in the loss of 13.29 acres of white-tailed kite foraging habitat, that consist of relatively low-quality ruderal non-native grassland and shrubland habitat. However, the foraging habitat at the Project site is not essential for the successful foraging or breeding of raptors nesting in the Goleta Valley. The Project site lacks suitable perches and nesting habitat, foraging habitat has been subject to ongoing disturbance, the site is fragmented by existing development and infrastructure, and higher value foraging habitat is available in the Project site vicinity (e.g., Lake Los Carneros). Therefore, development of the Project would not substantially limit reproductive capacity of raptors through loss of foraging habitat.

As detailed in Master Response 5: White-Tailed Kite in Chapter 9 of the Final EIR, the Project site provides foraging habitat for white-tailed kite but is part of a larger foraging mosaic that includes open habitats at the Santa Barbara Airport, Lake Los Carneros, Bishop Ranch, and University of California, Santa Barbara. Large areas of protected open space will remain in the Goleta area, even after implementation of the proposed Project. There are four existing nature parks in the City of Goleta (Lake Los Carneros Natural and Historic Preserve, Sperling Preserve, Santa Barbara Shores Park, and Coronado Preserve), totaling 375.1 acres. Large areas of more open habitats that are less disturbed than the Project site are found at the three larger preserves. In addition, approximately 290 acres of undeveloped or restored land at the University of California, Santa Barbara, adjacent to Goleta on the south and west, are also available for white-tailed kite foraging. The CWMP found that along the upper reaches of Los Carneros Creek 0.5 miles north of the Project site there is some potential for white-tailed kites to frequent the adjacent grasslands north of US 101. for



feeding opportunities and nesting opportunities; suitable habitat was not detected south of US 101. Even with the loss of the 13.29 acres of marginal white-tailed kite foraging habitat, the foraging habitats in the City (e.g., Lake Los Carneros City Park) and adjacent undeveloped fields and the Santa Ynez foothills to the north of US 101 are of sufficient size and quality to support successful kite foraging and breeding. Therefore, Project impacts to white-tailed kite foraging habitat would be less than significant and mitigation measures, including habitat replacement, is not required pursuant to CEQA.

Further surveys for white-tailed kite are not required since nesting or roosting habitat is not present on the Project site, study area, or the surrounding area. Lake Los Carneros is the only area within 0.5 mile of the Project site where nesting has been observed. Nests are monitored annually by Audubon. White-tailed kites were not detected in Los Carneros Creek during 2020 CWMP riparian bird surveys (Dudek 2020b). The last recorded white-tailed kite nest in Los Carneros Wetland was documented in 1990. Since that time, urban infill has occurred surrounding the wetland and nesting has not been recorded or observed at Los Carneros Wetland in CNDDDB or citizen science databases as discussed above. Additionally, the northern part of the Goleta Slough (within 0.5 mile from the Project site) no nesting or roosting was observed during point count surveys four times a month from December 2014 to November 2015; however, foraging was observed (Dudek 2017).

The proposed Project would not result in “take” of white-tailed kite due to abandonment of nesting sites or loss of significant foraging habitat. Fish and Game Code 86 defines take as to “hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill,” none of which will occur as a result of the Project. Modification of habitat can result in take under CESA, however, only where such modification is the proximate cause of mortality of a State designated candidate or listed species. As described above, the Project site does not contain nesting or roosting habitat for white-tailed kite. The Project site lacks suitable perches and on-site disturbed foraging habitat is also adjacent to a major transportation corridor (rail and vehicular). Approximately 225 acres of higher value foraging habitat is available within 0.5 mile of the Lake Los Carneros nesting site north of US 101 (e.g., Lake Los Carneros Park, adjacent undeveloped fields). The Project site contains marginal foraging habitat, the loss of which will not significantly reduce white-tailed kite foraging and breeding habitat in the area since it represents less than five percent of the habitat within a 0.5-mile radius of known nesting sites. The Project would not affect kite reproductive capacity, result in nest abandonment, result in a “substantial adverse effect” directly or through habitat modification, or require a CDFW Incidental Take Permit.

The nests of most native birds and raptors with potential to occur in the area are State and/or federally protected. No suitable raptor nesting habitat is present in Project site; therefore, Project construction does not have the potential to result in take of white-tailed kite. However, the Project has potential to result in indirect impacts to nesting birds protected under the Migratory Bird Treaty Act (MBTA), if they are nesting within the immediate vicinity during construction activities. Nesting birds may potentially occur within shrub vegetation adjacent to the Project site, and in trees along Los Carneros Creek. While no suitable raptor nesting habitat is present on the Project site, suitable nesting habitat is present in the eucalyptus trees to the north of the Project site adjacent to U.S 101. The Final EIR includes mitigation for nesting birds, including white-tailed kite, to reduce potential indirect short-term construction impacts to a less than significant level. Mitigation Measure BIO-1 requires that vegetation removal and initial ground disturbance occur outside the bird and raptor breeding season. If construction must begin within the breeding season, a bird and raptor pre-construction survey would be conducted by a City-approved biologist within the disturbance footprint plus a 300-foot buffer. If an active nest of species protected by California Code 3503 or the MBTA are found within 300 feet of the Project site, an avoidance buffer would be established around the nest during construction within the nesting season to ensure that “take” of protect birds, including white-tailed kite, does not occur.



**Comment No. 4 (pp. 7-8):** This comment states that the Final EIR does not include CDFW sensitive vegetation community alliance information and only considers the county definition of native grassland. The comment also states CDFW considers *Nassella* spp. Alliance (ranked S3), *Atriplex lentiformis* Shrubland (quailbush scrub, ranked S4), and *Baccharis pilularis* (Coyote brush scrub, ranked S5) Alliance as sensitive vegetation communities. The comment recommends that sensitive vegetation communities (S3) be mitigated at a 4:1 ratio and that impacts to S4 and S5 communities be mitigated at a 2:1 ratio.

**Response to Comment No. 4:** Contrary to the statement in the CDFW comment letter, the vegetation alliances and association types present on the Project site were assessed per the *Manual of California Vegetation* methodology. Page 9 of the *Biological Resources Assessment* (included in Appendix D of the Final EIR) lists the rarity assigned by CDFW in the California Natural Communities List of each vegetation type.

As discussed in Section 4.3, Biological Resources, of the Final EIR, the Project site includes 4.74 acres of *Bromus* grassland, and 4.17 acres of quailbush scrub, 3.29 acres of coyote brush scrub. As detailed below, the Final EIR correctly states that these vegetation communities are not rare or sensitive vegetation types.

The individual *Stipa* species on the Project site do not meet the criteria of native grassland or a rare sensitive vegetation type. The upland mustard habitat area consists of native species, including purple needle grass (*Stipa pulchra*) and nodding needle grass (*Stipa cernua*), that were introduced to the Project site in erosion control mix. Specifically, the Project site was required to be hydro-seeded with native seed for erosion control following grading in 2013 as part of Willow Springs II. In addition, smilo grass (*Stipa miliacea*), a non-native species, is prevalent in the *Bromus* grassland.

As stated in Master Response 3: Sensitive Communities, in Chapter 9 of the Final EIR, the Manual of California Vegetation definitions were also considered. The Manual of California Vegetation definition is the same as the CDFW's alliance-based classification, which CDFW stated they use in their June 29, 2021 comment letter. This definition includes the following criteria to be classified as a native grassland: 1) a 5% absolute cover of *Stipa (Nassella) pulchra* as membership criteria if it is co-dominant or 2) *Nassella pulchra* or if other *Nassella* sp. has a clear presence in the stand with > 5 percent absolute cover in the herbaceous layer. The cover observed on the Project site does not meet either of these criteria to be classified as native grassland. Additionally, as stated above, the native grassland species are present because of a required hydroseeded following grading in 2013 (*Stipa* was 16 percent of the seed mix) and is not part of an integral intact ecosystem but instead was planted for erosion control and soil stabilization following ground disturbance as required under the Stormwater Pollution Prevention Plan..

This comment incorrectly states that the Final EIR does not include CDFW sensitive vegetation community alliance information and only considers the local definition of native grassland. The Final EIR considered the local (City) definition of grassland, as well as the CDFW definition. As stated in Section 4.3, *Biological Resources*, of the Final EIR "Pursuant to the General Plan CE Policy 5.2 and the City of Goleta *Environmental Review Guidelines and Environmental Thresholds Manual*, existing native grasslands must be comprised of 10% or more total relative cover (proportion in relation to other species) of native grassland species and that removal of or disturbance to a patch of native grasslands (e.g., purple needle grass) less than 0.25 acre that is clearly isolated and not part of a significant native grassland or an integral component of a larger ecosystem may be allowed." The purple needle grass observed within the upland mustard area does not constitute sensitive native grassland pursuant to the General Plan and of *Goleta Environmental Review Guidelines and Environmental Thresholds Manual*, since it was present in an isolated area of less than 0.25 acre which does not meet the size criteria.

CDFW's letter states that *Atriplex lentiformis* Shrubland (quailbush scrub) and *Baccharis pilularis* (coyote brush scrub) are "locally sensitive" because of previous loss in the Coastal Goleta Area pursuant to CEQA Guidelines Section 15125(c) but does not provide substantial evidence to support this claim. These vegetation types are respectively classified by the CDFW California Natural Communities List as secure (S4)



and demonstrably secure (S5), respectively. According to the CDFW's Vegetation Program, Alliances with State ranks of S1 through S3 are considered to be imperiled, and thus, potentially of special concern/sensitive. The CEQA Guidelines (§ 15125(c)) also reflect vegetation communities with a State Rank/Global Rank of 1-3 should be considered sensitive for purposes of the CEQA analysis, unless otherwise specified local regional plans or considered rare or unique to the region regulations, or ordinances. The quailbrush scrub and coyote brush scrub rank S4 and S5, respectively, and are therefore not considered sensitive pursuant to CEQA.

The Final EIR complies with CEQA Guidelines Section 15125(c), which states:

*"Knowledge of the regional setting is critical to the assessment of environmental impacts. Special emphasis should be placed on environmental resources that are rare or unique to that region and would be affected by the project. The EIR must demonstrate that the significant environmental impacts of the proposed project were adequately investigated and discussed and it must permit the significant effects of the project to be considered in the full environmental context."*

The Final EIR fully evaluated whether quailbrush scrub or coyote brush scrub vegetation meet the City's General Plan Policy CE 1.1 definitions of Environmentally Sensitive Habitat Area (ESHA), which states:

*ESHAs shall include, but are not limited to, any areas that through professional biological evaluation are determined to meet the following criteria:*

- a. Any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and that could be easily disturbed or degraded by human activities and developments.*
- b. Any area that includes habitat for species and plant communities recognized as threatened or endangered by the state or federal governments; plant communities recognized by the State of California (in the Terrestrial Natural Communities Inventory) as restricted in distribution and very threatened; and those habitat types of limited distribution recognized to be of particular habitat value, including wetlands, riparian vegetation, eucalyptus groves associated with monarch butterfly roosts, oak woodlands, and savannas.*
- c. Any area that has been previously designated as an ESHA by the California Coastal Commission, the California Department of Fish and Game, City of Goleta, or other agency with jurisdiction over the designated area*

The disturbed coyote brush scrub and quailbrush scrub on the Project site lack species diversity since the communities were recently (after approximately 2002) established on fill and are regionally not rare or unique. In addition, the City's Environmental Thresholds and Guidelines Manual Appendix A omits coyote brush or quailbrush scrub from the description of coastal sage scrub (Page A-9). Therefore, coyote brush scrub and quailbrush scrub are not sensitive communities under the City's Environmental Thresholds and Guidelines Manual. The determination that the scrub habitat on the Project site does not meet City's General Plan Policy CE 1.1a or CE 1.1b definitions of ESHA, and is not "rare or especially valuable because of its special nature or role in an ecosystem," is supported by the following facts:

- Quail brush scrub and coyote brush scrub are common plant communities. These habitat types are ranked secure (S4) and demonstrably secure (S5), respectively, which are not considered sensitive;
- The quailbrush scrub and coyote brush scrub on the Project site is disturbed, contains high cover of invasive species, low native plant species diversity, and has become established at the site



relatively recently since the area was last graded. The site has been subject to agricultural activity related earth disturbance for much of the last 100 years;

- Threatened, endangered, or other special status wildlife species are not expected to reproduce at the Project site, and the Project site is not essential to the life-cycle of any listed wildlife species;
- Threatened, endangered, or other special status plant species have not been found at the site, and are not expected due to prior grading and agricultural use, as well as the Project site's existing disturbed condition; and
- The quailbush scrub and coyote brush scrub is within an urban area, adjacent to existing industrial and residential development, and is not contiguous with native habitats.

The Final EIR's determination that coyote brush scrub and quailbush scrub do not meet the definition of ESHA is supported by substantial evidence contained within several technical studies included in Appendix B of the Final EIR, including the *Biological Resources Assessment* (Rincon Consultants, Inc. 2016), *Technical Review of Coastal Sage Scrub Environmentally Sensitive Habitat Area for the North Willow Springs Project* (Dudek 2014), Dudek's Transect Data Sheet attached to Comment Letter 14 (refer to Section 8.0, Response to Comments) (Dudek 2016), and Watershed Environmental, Inc.'s *Environmentally Sensitive Habitat Biological Survey and Mapping* (Watershed Environmental 2020).

While a portion of the Project site that contains coyote brush scrub is currently mapped as ESHA in Figure 4-1 of the Conservation Element of the City's General Plan, Policy CE 1.5 allows an ESHA designation to be removed if a site-specific biological study contains substantial evidence that an area previously shown as ESHA on Figure 4-1 does not contain habitat that meets the definition of an ESHA. As described above, the site-specific biological studies and Final EIR found that the on-site habitat does not meet the definition of ESHA. The area originally mapped in the City's General Plan as ESHA also extended onto Willow Springs II. A General Plan Amendment removing the sage scrub ESHA designation from Willow Springs II was approved by the Goleta City Council on June 17, 2014 (Resolution No. 12-46). The mapped ESHA habitat at the Heritage Ridge Project site is similar in species composition to the area formerly mapped as ESHA habitat at the Willow Springs II project site, which was also determined by the City to not be ESHA.

For the reasons outlined above, the Final EIR found that the Project site does not contain vegetation that meets the definition of sensitive natural communities, and therefore, no mitigation is required pursuant to CEQA.

**Comment No. 5 (pp. 8-9):** This comment states that potential impacts to Los Carneros Creek and the new culvert under the Union Pacific Railroad are not clear. This comment also recommends a stream delineation be prepared and a map showing potentially jurisdictional waters provided as part of the Lake and Streambed Alternation Agreement process. The comment also states the Project should avoid impacts to streams and associated vegetation and the EIR should provide mitigation to reduce indirect impacts to Los Carneros Creek (e.g., from light, noise, and other disturbance).

**Response to Comment No. 5:** Contrary to the statement in the CDFW comment letter, the Project does not include a new culvert under the Union Pacific Railroad. As stated in Response to Comment 6.5 in Chapter 9 in the Final EIR, the Project would not directly affect or discharge stormwater to the existing culvert, which is located within Union Pacific Railroad right-of-way.

The Project would not result in direct impacts to Los Carneros Creek, which is separated from the Project site by the Union Pacific Railroad and is not located on the Project site. As stated in Section 4.3 *Biological Resources*, direct impacts would not occur within stream channels or areas under state jurisdiction (e.g., riparian vegetation), including that associated with Los Carneros Creek. As no CDFW jurisdiction is present



on the Project site, no mapping of CDFW jurisdiction was included in the EIR. The Project would not increase runoff discharge to Los Carneros Creek because Project site runoff does not discharge to the creek as the site has lower elevation from the creek. Further the site is separated from Los Carneros Creek by an active railroad right of way which the Project cannot discharge water onto. . Flows from the Project site would be diverted to the off-site detention basins to the south and not Los Carneros Creek. The Project would not divert, obstruct, change or use any material from, or discharge any material into, streambeds; therefore, a Lake and Stream Alteration Agreement from CDFW, a stream delineation and impact assessment, vegetated buffer and setbacks, or light/noise mitigation measures relating to Los Carneros Creek are not required for the proposed Project.

The Project includes design measures and mitigation measures to reduce indirect impacts on wildlife at Los Carneros Creek. The project design includes an 8-foot-high sound wall at the north edge of the Project site, between the proposed residential development and Los Carneros Creek. The soundwall would shield the creek from indirect impacts from noise and lighting. In addition, as required by Mitigation Measure AES-5, in Section 4.1 *Aesthetics*, all exterior lighting will be low intensity, low glare, and hooded to direct light downward and prevent spill-over onto the adjacent parcels. Mitigation Measure AES-5 also requires that lights be dimmed after 11 p.m. to the maximum extent practical without compromising public safety. Additionally, Mitigation Measure BIO-4(a), in Section 4.3 *Biological Resources*, requires that light and glare from the new residential development be directed away from Los Carneros Creek. The soundwall and lighting requirements would reduce indirect impacts to wildlife to less than significant.

**Comment No. 6 (p. 10):** This comment states that payment of CDFW fees is required.

**Response to Comment No. 6:** The required CDFW fees will be paid at the time the Notice of Determination (NOD) for the EIR is filed with the Santa Barbara County Clerk.

**Comment No. 7 (p. 10):** This comment concludes the letter, thanks the City for the opportunity to comment on the Final EIR, and provides contact information for questions on the comments.

**Response to Comment No. 7:** The City acknowledges the contact information. This comment does not contain a substantive comment on the Final EIR and no further response is required.

**Comment No. 8 (p. 12):** This comment provides a chart summarizing the mitigation measures previously recommended by CDFW in the earlier comments.

**Response to Comment No. 8:** Please refer to Responses to Comment Nos. 1 through 7.





## References:

- California Department of Fish and Wildlife. 2021. California Natural Diversity Database (CNDDB)
- Dudek. 2014. Technical Review of Coastal Sage Scrub Environmentally Sensitive Habitat Area for the North Willow Springs Project
- \_\_\_\_\_. 2014. Wildlife Corridor Analysis for the Heritage Ridge Project.
- \_\_\_\_\_. 2017. Response to Comment on White-tailed Kites from the California Department of Fish and Wildlife for the Santa Barbara Airport Master Plan Project, Santa Barbara County, SCH #2014061096.
- \_\_\_\_\_. 2019. Biological Resources Assessment for the Ocean Meadows Residential Project.
- \_\_\_\_\_. 2020a. Wildlife Corridor Study Report for the Creek and Watershed Management Plan
- \_\_\_\_\_. 2020a. Riparian Bird Study Report for the Creek and Watershed Management Plan
- eBird. 2022. eBird: An online database of bird distribution and abundance [web application]. eBird, Cornell Lab of Ornithology, Ithaca, New York. Available: <http://www.ebird.org>. Accessed May 2022.
- Goleta, City of. 2006. Final Goleta General Plan / Coastal Land Use Plan Environmental Impact Report (SCH # 2005031151)
- \_\_\_\_\_. 2011. Initial Study/Draft Mitigated Negative Declaration Los Carneros Road Overhead Bridge Replacement, Project 11-MND-01, December 20, 2011. Available at: <https://www.cityofgoleta.org/Home/ShowDocument?id=6110>
- \_\_\_\_\_. 2012. Willow Springs II Final Environmental Impact Report (SCH# 2010031059) City of May 2012.
- \_\_\_\_\_. 2014. Village at Los Carneros Project Final Environmental Impact Report SCH# 2011111001. June 2014.
- \_\_\_\_\_. 2020. City of Goleta Creeks and Watershed Management Plan Available at: <https://www.cityofgoleta.org/home/showpublisheddocument/24655/637484869064670000>
- \_\_\_\_\_. 2021. City of Goleta Creek and Watershed Management Plan.
- iNaturalist. 2022. iNaturalist: a joint initiative of the California Academy of Sciences and the National Geographic Society. Available at: <https://www.inaturalist.org/observations>. Accessed May 2022.
- Lehman. P.E. 2020. The Birds of Santa Barbara County, California. Revised edition. May 2020
- More Mesa Preservation Coalition. Available at: <https://moremesa.org/white-tailed-kites-introduction/>. Accessed May 2022.
- National Audubon Society. 2022a. Santa Barbara County Breeding Bird Study. <https://santabarbaraaudubon.org/santa-barbara-county-breeding-bird-study/>. Accessed May 2022.
- \_\_\_\_\_. 2020b. Tecolote Newsletter. <https://santabarbaraaudubon.org/category/news/el-tecolote/>. Accessed May 2022.
- \_\_\_\_\_. 2022c. Christmas Birds Count. Available at: <https://netapp.audubon.org/CBCObservation/CurrentYear/ResultsByCount.aspx?id=54950&yr=122>. Accessed May 2022.



TK Consulting. 2021. Updated Traffic and Circulation Study

Rincon Consultants, Inc. 2010. More Mesa Biological Resources Study prepared for the County of Santa Barbara Planning and Development.

\_\_\_\_\_. 2016. Biological Resources Assessment.

\_\_\_\_\_. 2022. Line 247 Dig 9 Anomaly Repair Biological Resources Assessment.

\_\_\_\_\_. 2020. Biological Resources Assessment for the Goleta Train Depot Project, Goleta, California.

Watershed Environmental, Inc. 2020. Environmentally Sensitive Habitat Biological Survey and Mapping.



## EXECUTIVE SUMMARY

This document comprises the Final Environmental Impact Report (EIR) for the proposed Heritage Ridge Residential Project. It is composed of a revised version of the Revised Draft EIR (with ~~striketrough~~ and underline showing changes from the original text), Technical Appendices, comments received during the public review period, and responses to those comments.

This section summarizes details of the EIR public review process, characteristics of the Project and the Project alternatives, the environmental impacts associated with the Project and alternatives, and required and recommended mitigation measures.

### **PUBLIC REVIEW PROCESS**

A Notice of Preparation (NOP) of an EIR was distributed for a 30-day agency- and public-review period on April 6, 2015. The City received nine letters in response to the NOP. The NOP and NOP comment letters are presented in Appendix A to this EIR. An EIR Scoping Meeting was also held on April 29, 2015 in the Council Chambers of the Goleta City Hall.

The original Draft EIR for the project was circulated for a 52-day public review period between June 17, 2016 and August 8, 2016. The original 45-day comment period was scheduled to end on August 1, 2016, but was extended one calendar week at the request of the California Department of Fish and Wildlife. The City of Goleta also held an Environmental Hearing Officer meeting on July 20, 2016 to receive verbal public comments on the Draft EIR. On April 29, 2021, a Revised Draft EIR was circulated for a 45-day public review period. Subsequently, it was determined that additional revisions to the Revised Draft EIR were required, and the Revised Draft EIR was recirculated for a 45-day public review period from May 14, 2021 to June 28, 2021. The City of Goleta also held an Environmental Hearing Officer meeting on June 16, 2021 to receive verbal public comments on the Revised Draft EIR.

Subsequent to public review of the Revised Draft EIR, the grading plan was revised to reduce soil export. In addition, in response to public comments received on the Revised Draft EIR, the site plan was revised to reduce total parking, change the type of parking spaces, and increase open space in order to achieve a 100-foot buffer from the Los Carneros Creek Streamside Protection Area (SPA). These revisions are reflected throughout this Final EIR where applicable, including in the summary of the project description below. *State CEQA Guidelines, Section 15088.5*, requires that a lead agency recirculate a Draft EIR when significant new information is added to the EIR prior to certification. The revisions to the project design do not constitute “significant new information” because they do not result in a new avoidable significant effect, do not substantially increase the severity of any environmental impacts, do not identify a feasible project alternative considerably different from others previously analyzed, and do not involve new mitigation measures or substantial revisions to mitigation measures that were proposed in the Revised Draft EIR. Because these revisions to the project description clarify or strengthen the analysis of impacts in the EIR and do not constitute significant new information, recirculation of the EIR is not required pursuant to CEQA Guidelines §15088.5.



## PROJECT SYNOPSIS

### Lead Agency

City of Goleta  
Planning & Environmental Review  
130 Cremona Drive, Suite B  
Goleta, California 93117

### Project Applicant

<u>Michael Towbes</u>	<u>Ron Wu</u>
<u>The Towbes Group</u>	<u>FTL Heritage Ridge TG, LLC</u>
<u>21 E. Victoria Street, Suite 200</u>	<u>2082 Michelson, Fourth Floor</u>
<u>Santa Barbara, CA 93101</u>	<u>Irvine, CA 92612</u>

### Applicant's Representatives

Tim Kihm & Jaren Nuzman  
TK Consulting, Inc.  
2082 Michelson, Fourth Floor  
Irvine, CA 92612

Rob Skinner & Derek Hansen  
The Towbes Group  
33 East Carrill, Suite 200  
Santa Barbara, CA 93101

John Polanskey  
Housing Authority of the County of Santa Barbara  
815 W Ocean Aveue  
Lompoc CA 93436

### Project Description

A detailed description of the applicant's proposal is included in Section 2.0, *Project Description*. The key characteristics of the Project are summarized below.

#### Project Characteristics

The Heritage Ridge Residential Project (the "Project") involves a proposal to develop ~~360~~ 332 housing units and a two-acre neighborhood park on a 17.36 gross acre site within the Inland Area of the City of Goleta ("City").

The western portion of the Project (Area A) would be senior affordable housing and family affordable housing comprised of ~~two~~ three residential buildings (Buildings 1, 2, and 3) with a total of ~~132~~ 104 units and one recreation building with a pool, spa and gym, plus outdoor recreation and barbecue facilities. The



eastern portion of the Project (Area B) would be workforce market-rate housing comprised of six seven residential buildings with a total of 228 units (Buildings ~~3 through 8~~ 4 through 10) and one recreation building with pool, spa, gym, children's play equipment and barbecue facilities. ~~The northern portion of Area B (Buildings 3, 4 and 5) would include 80 workforce housing units. Of the 80 units, 56 would have one bedroom and 24 would have three bedrooms. The eastern portion of Area B would be developed with three three-story buildings (Buildings 6, 7, and 8) that would include 148 workforce housing units. Buildings 6, 7, and 8 would include 93 one-bedroom units and 55 two-bedroom units. A total of 228 parking spaces would be provided for Buildings 6, 7, and 8 in Area B. A pool, recreation area, and leasing office would be located to the south of Building 8. Proposed on-site parking for the residential portion of the Project would include 156 carports, 338 uncovered parking spaces, which include ten van accessible spots, for a total of 494 parking spaces. Additionally, there are 13 uncovered parking spaces (including 1 accessible space) provided for the public park.~~

~~Without a density bonus, the maximum number of units allowed on the site based on General Plan density for this site (up to 25 units per acre) is 356 units. However, as Area A is proposed as a housing development for seniors 55 years and older or 62 years and older, this portion of the site is eligible for density bonus pursuant to California Civil Code section 51.3(a). These provisions allow for up to a 20% density bonus for senior units or 26 additional senior housing units at this site. The senior housing component would have 132 units, four of which would be senior density bonus units as permitted by Government Code sections 65915(b)(1)(C) and 65915(f)(3). The applicant is proposing a 3% density bonus associated with the senior units. The project site would have a total density of 25.4 23.68 units per acre (net developable) where the maximum density allowed is 25 dwelling units/acre.~~

Access to the Project site would be provided via three driveway connections providing ingress and egress to Camino Vista.

### Grading/Walls

The Project would include mass grading to prepare the site to support the residential development. Grading operations would include the construction of individual building pads for each structure, over-excavation as needed for roadways and driveways, and trenching and backfilling for installation of underground utilities. Preliminary earthwork quantities are estimated at 178,000 cubic yards of cut and 15,500 cubic yards of fill. ~~Approximately 115,000~~ 92,000 cubic yards of export required before construction of the Project.

Proposed development within the sensitive portion of the identified on-site archaeological site (CA-SBA-56 Northern Midden Area; refer to Section 4.4, *Cultural Resources*, for a detailed description of the project site setting and on-site archaeological resources site plus a 50-foot buffer) would use protective fill soils to cap the existing cultural resource. To prevent disturbance of the soil at this location, existing vegetation within the boundary of the archaeological site would be removed by hand, remaining root balls and masses would be sprayed with a topical herbicide to ensure no further growth, and the resulting dead masses of vegetation would be left in place. A geotextile tensor fabric (Tensor BX1200 or equivalent) would be placed on top of the existing ground surface to reduce the force of compaction from overlying fill soils and redistribute the compaction load force over a wider area, thereby minimizing the disturbance of friable (brittle) cultural remains such as shellfish and animal bone. No remedial grading, subgrade preparation or scarification would occur prior to placement of the geotextile fabric. Then the archaeological site and a 50-foot buffer Northern Midden Area would be covered in a minimum of two feet of protective fill soil, above native grades or existing grades (whichever is lower), that is within 1 pH of that identified in the Northern Midden Area soils, to prevent

direct impacts to archaeological resources. Fill soils would be spread from the outside in no greater than eight-inch lifts with rubber-tired equipment, such that equipment only operates on top of the fill soils.

The Project would include a masonry wall of approximately eight feet in height along the northern, eastern, and western project boundaries.

### Landscaping

The landscape plan is comprised primarily of native or climate appropriate plants with some small turf areas for recreation purposes. Plant species in the plant palette include but are not limited to coast live oak, California sycamore, fruitless olive, dwarf bottle brush, and dwarf coyote bush. Trees, shrubs and other vegetation would be planted throughout the development as well as low-water-use, Mediterranean and wildlife habitat plant species. Landscape treatments would be provided between buildings, curb bump-outs throughout parking areas, along common walkway areas, within the neighborhood park, recreation areas, and around the perimeter of the two development sites. Within the park, a turf area is proposed on the western side adjacent to picnic tables, and a meadow with native plantings is proposed in the center of the Project site. A portion of the park area with where sensitive archeological resources are located would be capped but would not be fenced would be fenced. Based on the Project site plan, the total landscaped area for the Project is approximately 1.65.46 acres, excluding the approximately 2.0two-acre park area, or about 1031.5% of the 17.36-gross-acre Project site.

### Stormwater and Drainage

The Preliminary Grading and Drainage Plans (dated September 2014) for the Project show permeable pavement and bioretention area locations. The Project site includes three primary bioretention basins, as well as other smaller bioretention areas and permeable pavement throughout the Project site. The Project would be required to incorporate best management practices (BMPs) to reduce stormwater runoff from the site, consistent with the County of Santa Barbara's Storm Water Technical Guide, which the City adopted in March 2014 (County of Santa Barbara, 2014).

### Utilities

Water would be provided by the Goleta Water District. Sewer would be provided by the Goleta Sanitary District. Based upon the Judgement Upon Arbitration Award, Case Number 232281 filed in Santa Barbara Superior Court on February 26, 2002, the combined Willow Springs properties (Willow Springs I, Willow Springs II, and the Project) was granted allocation of a total of 100.89 AFY of potable water from the GWD (refer to Appendix J). Utility easements would be recorded for utility services. A portion of the Goleta West Sanitary Sewer line which is now in an easement at the eastern property boundary would be relocated into the proposed driveway at the west side of the site. All electrical distribution lines, fiber optic lines, cable television lines, phone lines, gas lines, water lines, and sewer lines would be undergrounded. Other components of the site's utility infrastructure, such as backflow preventers, transformers, water meter assemblies, gas meters, power meters, cable TV pedestals, etc. would be installed above ground. Mechanical equipment would be ground-mounted on concrete pads adjacent to the residential structures. Water use restrictions and a temporary halt on new water services are currently being instituted by the Goleta Water District; however, a Superior Court judgment [*Wright v. Goleta Water Dist.* (1985) 174 Cal. App.3d74] has allocated 100.9 acre feet per year (AFY) of water to serve development on the site (refer to Section 4.14, *Utilities and Service Systems*, for more detail regarding water supply to the Project site). Therefore, the temporary halt on new services does not apply to the Project.



## Construction

Construction activities would include site preparation, export of excess dirt, grading, building construction, paving and architectural coating phases. Construction of the proposed Project is estimated to take approximately ~~2-5~~ 3 years. Pre-construction removal of the stockpiled soil on the project site is estimated to take up to ~~24-27~~ 19-22 weeks and require between ~~5,750 and 12,778~~ 4,600 and 10,222 round truck trips (depending on whether 20 CY or 9 CY haul trucks are used). No phasing plan is proposed at this time.

## Project Objectives

The objectives of the Project are to:

1. *Complete development of residential units in the Central Hollister Residential Development area on Affordable Housing Opportunity Site.*
2. *Assist City in providing affordable housing and complying with Regional Housing Needs Allocation (RHNA) requirements*
3. *Construct ~~132~~ senior affordable apartment units, family affordable apartment units, and market-rate/workforce apartment units up to ~~at or near~~ the maximum density allowed by the General Plan and in keeping with the Housing Element.*
4. *Create an infill housing development project that meets the density range of 20 to 25 dwelling units per acre as envisioned for the site in the City's General Plan. ~~of high senior and workforce to be at lower rental rates than the adjacent Willow Springs I and Willow Springs II multifamily housing projects.~~*
5. *Fully utilize the existing public infrastructure (Camino Vista and all utilities) provided by Willow Springs and Willow Springs II.*
6. *Promote City planning goals by developing a ~~high~~ medium density residential project located conveniently close to a major transportation corridor and to employment and recreational areas.*
7. *Provide a public neighborhood park in the location shown in General Plan Figure 3-2 (Park and Recreation Plan Map).*
8. *Protect, and preserve on-site cultural resources.*
9. *Develop multifamily residential housing while maintaining visual resources.*

## **ALTERNATIVES**

As required by CEQA, the EIR examines a range of alternatives to the Project. The alternatives, described and evaluated in Section 6.0, *Alternatives*, include the following:

- No Project Alternative. This alternative assumes that the Project is not implemented and that the Project site remains in its current condition.
- Alternative 2: Avoid CA-SB A-5456 and Buffer. This alternative would eliminate the portion of the proposed development that lies within the boundary of the CA-SBA-56 archaeological site and the 50-foot buffer surrounding CA-SBA-56, which includes Buildings ~~3~~, 4, 5, 6, and ~~67~~ and on-site parking. In order to avoid impacting CA-SBA-56 and the 50-foot buffer, some or all of four proposed residential buildings in Area B



(Buildings ~~3, 4, 5, 6, and 67~~) and ~~approximately 21 uncovered parking spaces several uncovered~~ and 9 carport parking spaces would be eliminated from the plan.

- Alternative 3: Increase Railroad/Freeway Buffer and Higher Sound Barrier. This alternative, would reconfigure the development to provide a larger buffer between the railroad and the U.S. 101, and increase the height of the masonry wall to reduce noise impacts. In this alternative, the height of the proposed noise barrier would be increased to 12 feet and would consist of a six-foot tall masonry wall on top of a six-foot tall berm.
- Alternative 4: Reduced Building Height. This alternative would involve changing the ~~five~~six three-story buildings to two-story buildings and modifying the bedroom mix of the remaining units in order to meet the minimum density of 20 units/acre. Under this alternative, there would be ~~7551~~ fewer residential units or ~~285281~~ units provided (approximately a ~~21~~15.4% decrease).
- Alternative 5: Mixed Use Development. This alternative would involve a mixed-use business park in place of the proposed residential development. ~~The business park would include approximately 260,400 square feet of building area and would be two stories in height.~~ Alternative 5A (Maximum Density 25 units/acre) includes approximately 208 residential units in three-story buildings and 179,400 square feet of business park development in two-story buildings. Alternative 5B (Lower Density 20 units/acre) includes approximately 167 residential units in two-story buildings and 89,700 square feet of business park development in one-story buildings.

~~Alternative 4 would eliminate two of the six identified Class I impacts of the Project, which relate to scenic resources and solid waste generation. None of the alternatives would eliminate the significant and unavoidable impacts related to the identified burial site within CA-SBA-56, construction noise, or hazardous materials/ risk of upset. Alternatives 2 and 5b would each eliminate the Class I impact of the Project, related to solid waste generation. However, Alternative 5a would not eliminate this Class I impact. Alternative 3 would require additional buildings to be three-story rather than two-story, which could result in potential significant impacts to scenic resources. All other project impacts would be reduced below identified thresholds of significance through implementation of the mitigation measures described in this EIR. Although some alternatives would reduce impacts in such areas as cultural resources and noise, these reductions would be incremental in nature and adoption of an alternative rather than the Project would not be necessary to avoid significant environmental effects. Therefore, based on the reduction of impacts and ability to meet most of the objectives of the Project, Alternative 4 “Reduced Building Height” 2 “Avoid CA-SBA-56 and Buffer” is identified as the environmentally superior alternative of those described above.~~

## SUMMARY OF IMPACTS AND MITIGATION MEASURES

Table ES-1 summarizes the identified environmental impacts for each issue area studied in the EIR, recommended mitigation measures (if any), and the level of significance after mitigation. Class I impacts are defined as significant, unavoidable adverse impacts which require a statement of overriding considerations to be issued per CEQA Guidelines § 15093 if the Project is approved. Class II impacts are significant adverse impacts that can be feasibly mitigated to less than significant levels and which require findings to be made under Section 15091 of the *State CEQA Guidelines*. Class III impacts are considered less than significant impacts. Class IV impacts are those for which the Project's impact would be beneficial.





**Table ES-1  
 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts**

Impact	Mitigation Measures	Significance After Mitigation
<b>Aesthetics</b>		
<p><b>Impact AES-1</b> The Project would convert an open and undeveloped property into a multi-family housing complex with two- and three-story buildings. <del>Due to the three story height of proposed buildings on the western portion of the Project site, the</del> The Project would <del>not</del> significantly obstruct views of the foothills and Santa Ynez Mountains from S. Los Carneros Road at Calle Koral looking northward, which is a scenic resources from any City-designated scenic view as a result of the project redesign to reduce the height of the building closest to the South. Los Carneros/Calle Koral intersection from three stories to two stories corridor. Therefore, impacts to this scenic view corridors would be Class III, <u>less than significant and unavoidable [Threshold 1]</u>.</p>	<p><del>Given the proposed location of three-story residential buildings in the southwest portion of the Project site, mitigation is not available to reduce the obstruction of scenic views of the foothills and Santa Ynez Mountains from the vantage point on S. Los Carneros Road near Calle Koral. These buildings would unavoidably obstruct scenic views. Project Alternative 4, as described in Section 6.0, Alternatives, would reduce the significant and unavoidable impacts associated with obstructing scenic views of the foothills and Santa Ynez Mountains. None required.</del></p>	<p><del>Significant and unavoidable</del> <u>Less than significant without mitigation.</u></p>
<p><b>Impact AES-2</b> The Project would not impact scenic resources identified in the City’s Visual and Historic Resources Element, including the Santa Ynez Mountains, coastal mesas, bluffs, and the Pacific Ocean. Impacts to these scenic resources would be Class III, <u>less than significant [Threshold 2]</u>.</p>	<p>None required.</p>	<p>Less than significant without mitigation.</p>
<p><b>Impact AES-3</b> Construction of the proposed multi-family housing development would involve removal of native shrub vegetation on most of the site. However, no trees currently exist on-site and Project landscaping would include planting native trees on-site. Therefore, impacts to scenic natural landforms would be Class III, <u>less than significant [Threshold 2]</u>.</p>	<p>None required.</p>	<p>Less than significant without mitigation.</p>
<p><b>Impact AES-4</b> The Project would permanently alter the Project site, replacing open and undeveloped land with a residential complex. <del>The massing and architectural style of the proposed buildings would not be compatible with that of adjacent multi-family residential development, although</del> However, the Project would be generally compatible with adjacent developments and landscaping would incrementally reduce changes to the character and quality of the site and surroundings this contrast. Impacts to the visual character of the site and surroundings would be Class III, <u>less than significant but mitigable [Threshold 3]</u>.</p>	<p><u>None required.</u>  <b>AES-4(a) Architectural Review.</b> The applicant must submit revised plans to the City of Goleta Design Review Board for review before applying for building permits. Plans must address compatibility of massing, heights and consistency with neighborhood character.   <b>Plan Requirements and Timing.</b> Before applying for building permits, the applicant must apply for design approval from the Design Review Board and submit plans wherein the massing, height, and architectural style of apartment buildings are consistent with neighborhood buildings and do not detract from existing neighborhood characteristics.</p>	<p>Less than significant without mitigation.</p>



**Table ES-1  
 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts**

Impact	Mitigation Measures	Significance After Mitigation
	<p>Pursuant to GMC § 2.08.150, the Design Review Board must determine whether the proposed buildings, structures, landscaping, and signs are appropriate and of good design in relation to other buildings, structures, landscaping and signs, on-site or in the immediately affected area. Plans also must specifically be evaluated for consistency with adopted regulations pertaining to the aesthetics of development in the Visual and Historic Resources Element of the Goleta General Plan.</p> <p><b>Monitoring.</b> The Planning and Environmental Review Director, or designee, must conduct a final review of final plans, before the City issues grading permits. In the event that final plans are not in substantial conformance with the approved plans, the Planning and Environmental Review Director may refer the matter back to the full Design Review Board for a final determination.</p> <p><b>AES 4(b) Height Limitations.</b> Finished floor elevations of each lot must be consistent with the finished floor elevation shown on the Preliminary Grading and Drainage Plan dated September 2014, based on the U.S. Coast and Geodetic Survey (USC&amp;GS) Datum elevation 8.92' or equivalent. In addition, maximum building heights must not exceed 35 feet in height, and height must be measured from the established finished floor elevation as described above. The applicant must ensure that the Project complies with the grading limitations and height limitations as established with the approved entitlement plans.</p> <p><b>Plan Requirements and Timing.</b> At the time of grading plan review, the applicant must submit verification from a licensed surveyor/civil engineer demonstrating that the finished floor heights will be at the elevations shown on the entitlement plans. If a different datum is used, then the applicant must submit documentation demonstrating that the finished floor elevations are at equivalent heights.</p>	



**Table ES-1  
 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts**

Impact	Mitigation Measures	Significance After Mitigation
	<p><del><b>Monitoring:</b> The Planning and Environmental Review Director, or designee, must verify compliance before the City issues grading permits.</del></p>	
<p><b>Impact AES-5</b> The Project would introduce on-site sources of lighting and glare to an open, undeveloped parcel that currently has none. Impacts would be Class II, <i>significant but mitigable</i> [Threshold 4].</p>	<p><b>AES-5 Lighting Specifications.</b> Any exterior lighting installed on the Project site must be of low intensity, low glare design, and must be hooded to direct light downward onto the Project site and prevent spill-over onto adjacent parcels and must otherwise meet dark night sky requirements. Exterior lighting fixtures must be kept to the minimum number and intensity needed to ensure public safety. These lights must be dimmed after 11 p.m. to the maximum extent practical without compromising public safety as determined by the Planning and Environmental Review Director or designee. Upward directed exterior lighting is prohibited. Lighting fixtures must be appropriate for the architectural style of the structure and surrounding area. The final lighting plan must be amended to include identification of all types, sizes, and intensities of wall-mounted building lights and landscape accent lighting, and a photometric map must be provided. “Moonlighting” type fixtures that illuminate entire tree canopies should also be avoided.</p> <p><b>Plan Requirements and Timing:</b> The locations of all exterior lighting fixtures, complete cut-sheets of all exterior lighting fixtures, and a photometric plan prepared by a registered professional engineer showing the extent of all light and glare emitted by all exterior lighting fixtures must be reviewed and approved by Design Review Board before the City issues a building permit for construction.</p> <p><b>Monitoring:</b> Before the City issues a certificate of occupancy, the Planning and Environmental Review Director, or designee, must inspect exterior lighting features to ensure that they have been installed consistent with approved plans.</p>	<p>Less than significant with mitigation.</p>
<p><u><b>Cumulative Impacts.</b> The Project would not result in a considerable contribution to cumulative impacts due to a significant change to the visual character of the City, scenic resources, or light and glare.</u></p>	<p><u>None required.</u></p>	<p><u>Less than significant without mitigation.</u></p>



**Table ES-1  
 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts**

Impact	Mitigation Measures	Significance After Mitigation
<u>Cumulative aesthetic impacts would be less than significant.</u>		
<b>Air Quality</b>		
<b>Impact AQ-1</b> The Project would be consistent with the SBCAPCD <del>2013 Clean Air Plan (CAP)</del> <u>2019 Ozone Plan</u> because it would not generate population in excess of that used in the <del>CAP</del> <u>2019 Ozone Plan</u> to forecast population-related emissions. This impact would be Class III, <i>less than significant [Threshold 1]</i> .	None required.	Less than significant without mitigation.
<b>Impact AQ-2</b> The Project would result in operational air pollutant emissions from area sources, natural gas use, and increased vehicular traffic. However, the increase in emissions would not exceed thresholds established by SBCAPCD. This impact would be Class III, <i>less than significant [Threshold 2]</i> .	None required.	Less than significant without mitigation.
<b>Impact AQ-3</b> Project construction would generate temporary air pollutant emissions. Such emissions may result in temporary adverse impacts to local air quality, but are below SBCAPCD guideline thresholds for construction emissions. Additionally, standard dust and emissions control measures are required by the SBCAPCD. This impact would be Class III, <i>less than significant [Threshold 2]</i> .	None required.	Less than significant without mitigation.
<b>Impact AQ-4</b> New sensitive receptors on the Project site would be exposed to hazardous air pollutants at levels that may cause health risks. The proposed residences closest to U.S. 101 and the Union Pacific Railroad would be exposed to hazardous air pollutants that exceed significance thresholds. This impact would be Class III, <i>less than significant [Threshold 4]</i> .	None required. <del><b>AQ-4 Indoor Air Pollution.</b> The mitigation actions listed below apply to all new residential units on the Project site:</del> <ul style="list-style-type: none"> <li><del>• Forced air ventilation with filter screens on outside air intake ducts must be provided for all residential units proposed on the site. The filter screens must have a minimum MERV 13 rating, capable of removing at least 90% of the particulate matter including fine particulate matter (PM&lt;2.5 micron).</del></li> <li><del>• For individual residential units with separate HVAC systems, a brochure notifying the future residents of the need for maintaining the filter screens must be prepared and provided at the time of ownership exchange. In addition, a notice of the diesel particulates risk hazard and the need for screen maintenance must be recorded in the property title and included with lease agreements.</del></li> <li><del>• Windows and doors must be fully weatherproofed with caulking and weather stripping that is rated to last at least</del></li> </ul>	Less than significant <del>with mitigation.</del>



**Table ES-1  
 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts**

Impact	Mitigation Measures	Significance After Mitigation
	<p>20 years.</p> <p><b>Plan Requirements and Timing:</b> These mitigation measures must be incorporated into the Project and shown on the plans submitted to the City for <u>with the zoning clearance</u>. The brochure and the specifications for the filter screens must also be submitted to the Planning and Environmental Review Director or designee for review before the City provides approved the zoning clearance for the project.</p> <p><b>Monitoring:</b> The Planning and Environmental Review Director or designee must review the hazard avoidance measures and confirm acceptable wording in the brochure and the suitability of the proposed screens before the City provides zoning clearance. City building inspectors must check for installation of the filter screens and adequate weather-proofing in the appropriate units before the City issues certificates of occupancy.</p>	
<p><b>Cumulative Impacts.</b> The Project would not exceed any of the SBCAPCD-recommended thresholds nor conflict with or obstruct implementation of the 2019 Ozone Plan and therefore, the Project’s contribution to cumulative air quality impacts would be less than significant.</p>	<p><u>None required.</u></p>	<p><u>Less than significant without mitigation.</u></p>
<p><b>Biological Resources</b></p>		
<p><b>Impact BIO-1</b> Biological surveys of the project site identified a lack of special status plant species or suitable habitat for special status wildlife species. However, the project site contains habitat that could support nesting and/or foraging birds protected under state and federal law. Impacts on sensitive species are Class II, <i>significant but mitigable</i> [Threshold 1].</p>	<p><b>BIO-1 Nesting Birds and Raptors.</b> To avoid construction impacts to nesting birds and raptors, vegetation removal and initial ground disturbance must occur outside the bird and raptor breeding season, which is typically February 1 through September 1 (January 1 through September 1 for some raptors), but can vary based on local and annual climatic conditions. If construction must begin within the breeding season, then not more than two weeks before ground disturbance and/or vegetation removal commences, a bird and raptor pre-construction survey must be conducted by a City-approved biologist within the disturbance footprint plus a 300-foot buffer, as feasible. If the Project is phased, a subsequent pre-construction nesting bird and raptor survey is</p>	<p>Less than significant with mitigation.</p>



**Table ES-1  
 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts**

Impact	Mitigation Measures	Significance After Mitigation
	<p>required before each phase of construction within the Project site. If no raptor or other bird nests are observed no further mitigation is required.</p> <p>Pre-construction nesting bird and raptor surveys must be conducted during the time of day when bird species are active and be of sufficient duration to reliably conclude presence/absence of nesting birds and raptors within the 300-foot buffer. A report of the nesting bird and raptor survey results, if applicable, must be submitted to the Planning and Environmental Review Director, or designee, for review and approval <u>not more than one week before commencing ground disturbances before the City issues grading permits.</u></p> <p>If active nest of species protected by CFG Code 3503 or the MBTA Migratory Bird Treaty Act protected bird nests are found within 300 feet of the Project site, their locations must be flagged and then mapped onto an aerial photograph of the Project site at a scale no less than 1"=200' and/or recorded with the use of a GPS unit. If active raptor nests are detected the map will include topographic lines, parcel boundaries, adjacent roads, known historical nests for protected nesting species, and known roosting or foraging areas, as required by Conservation Element Policy 8.3 of the Goleta Community Plan / Coastal Land Use Plan. If feasible, the buffer must be 300 feet in compliance with Conservation Element Policy CE 8.4 of the Goleta General Plan/Coastal Land Use Plan. If the 300-foot buffer is infeasible, the City approved biologist may reduce the buffer distance as appropriate, dependent upon the species and the proposed work activities. If any active non-raptor bird nests are found, a suitable buffer area (varying from 25-300 feet), depending on the species, must be established by the City approved biologist. No ground disturbance can occur within the buffer until the City-approved biologist confirms that the breeding/nesting is completed and all the young have fledged. Alternately, a City approved biologist must monitor the active nest full-time during construction activities within the buffer to ensure</p>	



**Table ES-1  
 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts**

Impact	Mitigation Measures	Significance After Mitigation
	<p>Project activities are not indirectly impacting protected nesting birds and raptors.</p> <p><b>Plan Requirements and Timing:</b> <u>Not more than one week before ground disturbances commence before the City issues a grading or building permit(s)</u>, the Planning and Environmental Review Director, or designee, must verify that construction and grading is occurring outside the nesting season, or that nesting bird and raptor surveys have been conducted, and buffer requirements specified above are in place (if applicable). This measure, and any buffer requirements, must be incorporated into the grading plans for the Project.</p> <p><b>Monitoring:</b> The Planning and Environmental Review Director, or designee, must verify compliance <u>not more than one week before ground disturbances commence before the City issues any grading or building permit(s)</u> and conduct periodic site inspections to ensure compliance throughout the construction period.</p>	
<p><b>Impact BIO-2</b> No riparian habitat or sensitive community is present on-site; therefore, no direct impact to will occur. Indirect Impacts to off-site sensitive community from the introduction of invasive species would be Class II, <i>significant but mitigable</i> [<u>Threshold 2</u>].</p>	<p><b>BIO-2 Invasive Species Seeding and Landscaping.</b> Nonnative, invasive plant species cannot be included in any erosion control seed mixes and/or landscaping plans associated with the Project. The California Invasive Plant Inventory Database contains a list of nonnative, invasive plants (California Invasive Plant Council [Updated 2017<del>1</del>4] or its successor).</p> <p><b>Plan Requirements and Timing:</b> Before the City issues a <u>Building Permit Zoning Clearance</u>, the applicant must <u>submit secure approval of a final landscape plan from the Design Review Board</u> for review and approval by the Planning and Environmental Review Director, or designee.</p> <p><b>Monitoring:</b> The Planning and Environmental Review Director, or designee, must verify compliance before the City issues a <u>Zoning Clearance any grading or building permit(s)</u>. Before the City issues a certificate of occupancy, the Planning and Environmental Review Director, or designee, must inspect</p>	<p>Less than significant with mitigation.</p>



**Table ES-1  
 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts**

Impact	Mitigation Measures	Significance After Mitigation
	landscape plantings features to ensure that they have been installed consistent with approved plans.	
<p><b>Impact BIO-3</b> No jurisdictional water or wetlands are present on-site. Therefore, no direct impact will occur. Indirect Impacts to off-site waters and wetlands would be Class III, <i>less than significant [Threshold 3]</i>.</p>	None required.	Less than significant without mitigation.
<p><b>Impact BIO-4</b> The project is located within local wildlife linkage. Indirect impacts to wildlife movement from development of residences would be Class II, <i>less than significant with mitigation [Threshold 4]</i>.</p>	<p><b>BIO-4(a) Lighting Plan.</b> In addition to the lighting specifications in Mitigation Measure AES-5, light and glare from new development must be controlled and directed away from the wildlife corridors shown on the conceptual landscape plan, Los Carneros Creek SPA ESHA, Los Carneros Wetland ESHA, and the open space areas adjacent to the development. Exterior night lighting must be minimized, restricted to low intensity fixtures, shielded, and directed away from ESHAs, wildlife corridors, and open space.</p> <p><b>Plan Requirements and Timing:</b> The locations of all exterior lighting fixtures, complete cut-sheets of all exterior lighting fixtures, and a photometric plan prepared by a registered professional engineer showing the extent of all light and glare emitted by all exterior lighting fixtures must be approved by the <u>Planning and Environmental Review Director, or designee, Design Review Board</u> before the City issues a <u>Building Permit for construction Zoning Clearance</u>.</p> <p><b>Monitoring:</b> Before the City issues a certificate of occupancy, the Planning and Environmental Review Director, or designee, must inspect exterior lighting features to ensure that they have been installed consistent with approved plans.</p> <p><b>BIO-4(b) Landscape Chemical and Pest Management Plan.</b> All pesticides, herbicides, and fertilizers used at the Project site must be those designated for use near aquatic and wetland habitats, and must be applied with techniques that avoid over-spraying and control application to avoid excessive concentrations. Rodenticides are prohibited. <u>Trash and recycling receptacles shall be wildlife proof.</u></p>	Less than significant with mitigation.





**Table ES-1  
 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts**

Impact	Mitigation Measures	Significance After Mitigation
	<p><b>Plan Requirements and Timing:</b> A Landscape Chemical and Pest Management Plan (Plan) must be developed by the applicant and approved by the Planning and Environmental Review Director, or designee, before a final map is recorded. The requirements must be printed on the final approved landscape plans, each residential unit lease document, the map, and recorded on the property deed. The Plan must provide a prohibition on use of pesticides, herbicides, fertilizers and rodenticides. These prohibitions must be the subject of at least one annual communication by the applicant to the residents in the form of a meeting and/or newsletter or electronic update that is distributed to residents.</p> <p><b>Monitoring:</b> Evidence of this effort must be provided to the Planning and Environmental Review Director, or designee, each year by January 1st. The management must also provide the Planning and Environmental Review Director with an annual monitoring report by January 1st of each year demonstrating the use of aquatic and wetland habitat appropriate fertilizer, herbicides, and pesticides consistent with the Plan on the property. If determined necessary by the <b>City</b>, the City may require the applicant to retain a City approved qualified biologist to verify the correct use of appropriate herbicides, pesticides, and fertilizers as part of the annual monitoring report.</p> <p><b>BIO-4(c) Domestic Pet Predation, Feline Disease, and Wildlife Corridor Education.</b> The applicant must prepare a public education campaign for future residents of the Project site regarding: 1) the effects of domestic animal predation on wildlife (e.g., domestic cats and protected bird species); 2) promoting indoor cats since bobcats are susceptible to the same diseases as domestic cats, and disease can be transmitted between domestic cats and bobcats (or vice versa); and 3) the importance of wildlife corridors.</p> <p><b>Plan Requirements and Timing:</b> The education materials must be prepared by a City approved qualified biologist, approved</p>	



**Table ES-1  
 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts**

Impact	Mitigation Measures	Significance After Mitigation
	by the Planning and Environmental Review Director (or designee) and must be recorded with the Final Map. The education materials must be distributed with the unit lease documents, and the subject of at least one annual communication by the applicant to the residents in the form of a meeting and/or newsletter or electronic update that is distributed to all residents.  <b>Monitoring:</b> Evidence of this effort must be provided to the Planning and Environmental Review Director each year by January 1st.	
<b>Impact BIO-5</b> The Goleta General Plan / Coastal Land Use Plan identifies the presence of coastal sage scrub, an Environmentally Sensitive Habitat Area, on the project site. However, biological assessment surveys for this EIR indicate that no protected habitat ESHAs are present on-site. Impacts to ESHA would be Class III, <i>less than significant [Threshold 5]</i> .	None required.	Less than significant.
<b>Cumulative Impacts.</b> The Project would not result in a considerable contribution to cumulative impacts to biological resources, including sensitive species or habitat, raptor foraging habitat, wildlife connectivity, or nesting birds. Cumulative impacts to biological resources would be less than significant.	None required.	<u>Less than significant without mitigation.</u>
<b><i>Cultural and Tribal Cultural Resources</i></b>		
<b>Impact CR-1</b> Based on archaeological investigations conducted on the Project site, there is evidence that an intact archaeological deposit (associated with CA-SBA-56) is present. Construction activities for the Project could potentially have a significant impact on CA-SBA-56. This would be a Class II, <i>significant but mitigable impact [Thresholds 2 and 3]</i> .	<b>CR-1(a) Limited Phase 3 Data Recovery.</b> The applicant must provide a Phase 3 Data Recovery Program Plan developed by a City-approved archaeologist for excavations at the <del>low density artifact scatter</del> Northern Midden Area at CA-SBA-56.  <b>Plan Requirements:</b> The Phase 3 plan must be prepared in accordance with the City of Goleta's <i>Environmental Thresholds and Guidelines Manual Cultural Resources Guidelines (1993)</i> , Open Space Element Policy 8.5, the California Office of Historic Preservation's (1990) <i>Archaeological Resource Management Reports (ARMR): Recommended Contents and Format</i> , and <del>CEQA Public Resource Code</del> § 21083.2 and CEQA Guidelines § 15126.4(b).	With implementation of the required mitigation measures, potential impacts to known and as-yet undetected archaeological resources would be reduced to a less than significant level.



**Table ES-1  
 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts**

Impact	Mitigation Measures	Significance After Mitigation
	<p>The plan must include:</p> <ul style="list-style-type: none"> <li>• <i>Research design;</i></li> <li>• <i>Discussion of relevant research questions that can be addressed by the CA-SBA-56 resources;</i></li> <li>• <i>Methods used to gather data, including data from previous studies;</i></li> <li>• <i>Laboratory methods to analyze the data;</i></li> <li>• <i>An assessment of artifacts recovered and any corresponding field notes, graphics, and lab analyses; and</i></li> <li>• <i>Results of investigations.</i></li> </ul> <p>The plan must provide for a systematic sample of the area to be capped, such that the research value of the deposit is adequately characterized.</p> <p>The Phase 3 must be funded by the applicant and must be prepared by a City-approved archaeologist. The Phase 3 must be documented in a draft and final report and must be reviewed and approved by a City-retained archaeologist. Pursuant to City Cultural Resource Guidelines, the final report, archaeological collections, field notes, and other standard documentation must be permanently curated at the UCSB Repository for Archaeological Collections.</p> <p>The Phase 3 must specify a <u>local</u> Chumash Native American <del>observer</del> <u>consultant</u> must be retained by the applicant to observe all excavation activity associated with the Program. The <del>observer</del> <u>consultant</u> must maintain daily notes and documentation necessary, and provide the observation notes and documentation to all interested Chumash representatives who request to be informed of the Phase 3 excavation progress.</p> <p><b>Timing:</b> A Phase 3 research design prepared pursuant to City of Goleta's <del>Environmental Thresholds and Guidelines Manual</del> <u>Cultural Resources Guidelines</u>, and a copy of a contract (including a detailed scope of work) between the</p>	



**Table ES-1**  
**Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts**

Impact	Mitigation Measures	Significance After Mitigation
	<p>applicant and a City-approved archaeologist and Chumash Native American <del>observer</del> <u>consultant</u> for the Phase 3 program, and the subsequent draft and final Phase 3 report, must be reviewed and approved by the City and City-retained archaeologist (funded by the applicant) before recordation of the final map. <u>Upon completion of the Phase 3 study and all contact requirements, the applicant must notify the City in writing of the completed efforts in a bond acceptable to the City. The applicant must provide a bond subject to City approval to the City for completion of the Phase 3 program that must be released upon completion of the Phase 3 mitigation and all contract requirements as determined by the City in writing. This includes the completion of the curation of items collected during the Phase 3 mitigation. A summary letter outlining the successful completion of all mitigation excavations must be reviewed and approved by the City and City-retained archaeologist prior to issuance of any Zoning Clearance for grading within the archaeological resource area, including the placement of fill over the Northern Midden Area. All <del>excavation</del> Phase 3 and curation requirements must be met prior to issuance of any Land Use Permit for grading occupancy of the first residential building (either Affordable or Market rate Housing units). The Phase 3 excavation must be undertaken before placement of fill over the low density artifact scatter.</u></p> <p><b>Monitoring:</b> The Phase 3 Data Recovery Program must be submitted for approval by the City and City-approved archaeologist before the applicant records a final map. City staff and the City-retained archaeologist must periodically site inspect to verify completion of the Phase 3 field work <u>and review and approve the summary letter outlining the completion of excavations prior to issuance of Zoning</u></p>	



**Table ES-1  
 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts**

Impact	Mitigation Measures	Significance After Mitigation
	<p><u>Clearance for grading within the archaeological resource area. Curation may be completed after the issuance of the Zoning Clearance, as long as the Phase 3 excavations have been completed and verified by the City and City-retained archaeologist.</u> The City-retained archaeologist must review and approve the draft and final Phase 3 reports <u>prior to issuance of occupancy permit for the first residential building (either Affordable or Market rate Housing units).</u> The applicant must provide the City with a letter from the UCSB Repository for Archaeological Collections indicating that all required materials have been accepted for curation <u>prior to the release of the cultural resource bond.</u></p> <p><b>CR-1(b) Surface Preparation and Fill Soils within CA-SBA-56.</b> Preparation of the ground surface and the placement of fill soils within the <del>Northern Midden Area</del> of CA-SBA-56 boundary must be <u>low impact and</u> adhere to the following requirements:</p> <ul style="list-style-type: none"> <li>• <i>Systematically collect all diagnostic artifacts on the ground surface;</i></li> <li>• <i>Remove all organic material from the <del>archaeological site</del> Northern Midden Area surface by hand (including brushing, raking, or use of power blower);</i></li> <li>• <i>Place a layer of <u>Tensar geotextile fabric grid</u> over all archaeological site areas to receive fill;</i></li> <li>• <i>Use fill soils within 1 pH of that identified in the <del>low density artifact scatter</del> Northern Midden Area soils, as evaluated in the field prior to construction;</i></li> <li>• <i>Use a contrasting color <u>and/or gradation</u> for the lower six inches of fill soils, signaling to any future sub-surface activity (e.g., landscaping activity) that excavation shall not extend deeper; and</i></li> <li>• <i><u>Place a minimum of 12 inches additional fill material over the contrasting soil;</u></i></li> <li>• <i>Place the fill soils ahead of the loading equipment so that the machine does not have contact with the archaeological site surface.</i></li> </ul>	



**Table ES-1  
 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts**

Impact	Mitigation Measures	Significance After Mitigation
	<ul style="list-style-type: none"> <li><i>Moisten fill soils sufficient so that they are cohesive under the weight of the heavy equipment as the material is spread out over the archaeological site and buffer area.</i></li> </ul> <p><b>Plan Requirements and Timing:</b> Before the City issues any grading permit, the Planning and Environmental Review Director <u>or designee</u> must approve a Construction Monitoring Plan prepared by the applicant <u>and a City-approved archaeologist</u>. Plan specifications for the monitoring must be printed on all plans submitted for grading, landscaping, and building permits. The applicant must enter into a contract with a City-approved archaeologist and an applicant selected Chumash Native American <del>observer</del> <u>consultant(s)</u> and must fund the provision of on-site archaeological/cultural resource monitoring during initial grading and excavation activities prior to any <u>LUP Zoning Clearance</u> issuance for grading. <u>The contract should be executed at least two weeks prior to the Zoning Clearance issuance for grading.</u></p> <p><b>Monitoring:</b> The Planning and Environmental Review Director, or designee, <u>and a City-retained archaeologist</u> must approve the Construction Monitoring Plan and ensure there is a valid contract with an archaeologist and a Chumash Native American <del>observer</del> <u>consultant</u>, and must conduct periodic field inspections to verify compliance during ground-disturbing activities.</p> <p><b>CR-1(c) Excavations within <del>Low-Density Artifact Scatter Northern Midden Area</del>.</b> Excavations for all landscaping and recreational improvements within the <del>low density artifact scatter Northern Midden Area</del> cannot encroach within <u>the initial six inches of contrasting soil placed above the geotextile grid and existing ground surface:</u></p> <p><b>Plan Requirements and Timing:</b> This requirement must be printed on all plans submitted for any <u>LUP Zoning Clearance</u> for grading. The area where excavations would not encroach on the <del>low density artifact scatter Northern Midden Area</del> as</p>	



**Table ES-1  
 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts**

Impact	Mitigation Measures	Significance After Mitigation
	<p>specified herein must be clearly marked on the plans.</p> <p><b>Monitoring:</b> The Planning and Environmental Review Director, or designee, must conduct periodic field inspections to verify compliance during ground-disturbing activities.</p> <p><b>CR-1(d) Monitoring.</b> Before initiating any staging areas, vegetation clearing, or grading activity, the applicant and construction crew must meet on-site with <u>City staff</u>, a <u>City-retained approved archaeologist</u>, and <u>appropriate local Chumash consultant(s)</u> and present the procedures to be followed in the unlikely event that cultural artifacts are discovered <u>on-site during ground disturbances outside of the CA-SBA-56 Northern Midden Area</u>. <u>If cultural resources of potential importance are uncovered during construction, the following must occur per the Goleta General Plan Open Space Policy 8.6:</u></p> <ul style="list-style-type: none"> <li><del>a. The grading or excavation shall cease and the City shall be notified.</del></li> <li><del>b. A qualified archeologist shall prepare a report assessing the significance of the find and provide recommendations regarding appropriate disposition.</del></li> <li><del>c. Disposition will be determined by the City in conjunction with the appropriate Chumash representatives.</del></li> </ul> <p>A City-approved archaeologist and local Chumash consultant must monitor all ground-disturbing activities on the Project site, including surface vegetation removal and the Phase 3 Data Recovery Program. The monitor(s) must have the following authority:</p> <ol style="list-style-type: none"> <li>1. The archaeological monitor(s) <del>and monitor consultant(s)</del> must be on-site on a full-time basis during any earthmoving activities, including preparation of the area for capping, grading, trenching, vegetation removal, or other excavation activities. The monitors will continue their duties until it is determined through consultation with the applicant, City Planning and Environmental Review Director or designee, <del>a City-retained</del> archaeological</li> </ol>	



**Table ES-1  
 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts**

Impact	Mitigation Measures	Significance After Mitigation
	<p>consultant, and Chumash consultant that monitoring is no longer warranted;</p> <p>2. The monitor(s) may halt any activities impacting previously unidentified cultural resources and conduct an initial assessment of the resource(s); <u>If cultural resources of potential importance are uncovered during construction, the following must occur per the Goleta General Plan Open Space Policy 8.6</u></p> <p>a. <u>The grading or excavation shall cease and the City shall be notified.</u></p> <p>b. <u>A qualified archeologist shall prepare a report assessing the significance of the find and provide recommendations regarding appropriate disposition.</u></p> <p>c. <u>Disposition will be determined by the City in conjunction with the appropriate Chumash consultant.</u></p> <p>3. If an artifact is identified as an isolated find, the monitor(s) must recover the artifact(s) with the appropriate locational data and include the item in the overall inventory for the site;</p> <p>4. If a feature or concentration of artifacts is identified, the monitor must halt activities in the vicinity of the find, notify the applicant and the Planning and Environmental Review Director or designee, and prepare a proposal for the assessment and treatment of the find(s). This treatment may range from additional study to avoidance, depending on the nature of the find(s);</p> <p>5. The monitor must prepare a comprehensive archaeological technical report documenting the results of the monitoring program and include an inventory of recovered artifacts, features, etc.;</p> <p>6. The monitor must prepare the artifact assemblage for curation with <del>an appropriate curation facility (e.g., UCSB or local Chumash facility)</del> and include an inventory with the transfer of the collection; and</p> <p>7. The monitor must file an updated archaeological site survey</p>	





**Table ES-1  
 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts**

Impact	Mitigation Measures	Significance After Mitigation
	<p>record with the UCSB Central Coastal Information Center.</p> <p><b>Plan Requirements and Timing:</b> This requirement must be printed on all plans submitted for any <del>land use</del> <u>Zoning Clearance</u>, building, grading, or demolition permits. The applicant must enter into a contract with a City-approved archaeologist and applicant-selected Chumash consultant and must fund the provision of on-site archaeological/cultural resource monitoring during initial grading and excavation activities before issuance of a <u>Zoning Clearance</u><del>land use permit</del>. Plan specifications for the monitoring must be printed on all plans submitted for grading, and building permits. <u>The contract should be executed at least two weeks prior to the Zoning Clearance issuance for grading.</u></p> <p><b>Monitoring:</b> City Planning and Environmental Review Director or designee must conduct periodic field inspections to verify compliance during ground-disturbing activities.</p> <p><b>CR-1(e) Continued Chumash Consultation.</b> Previous Chumash consultation with the City of Goleta and Project applicant resulted in the archaeological site CA-SBA-56 being identified as important to the Chumash community. Continued Chumash consultation must occur throughout the remainder of the Project including any design changes, alternatives analysis, or mitigation measure implementation to ensure that impacts to CA-SBA-56 are mitigated in a manner that would be respectful of the site’s Chumash heritage.</p> <p><b>Plan Requirements and Timing:</b> This condition must be printed on all building and grading plans.</p> <p><b>Monitoring:</b> The Planning and Environmental Review Director or designee must check plans before the City issues a <del>land use permit</del><u>Zoning Clearance</u> and must spot check in the field throughout grading and construction.</p> <p><b>CR-1(f) Human Remains.</b> Before initiating any staging areas, vegetation clearing, or grading activity, the applicant and construction crew must meet on-site with <u>City staff</u>, a City-</p>	



**Table ES-1  
 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts**

Impact	Mitigation Measures	Significance After Mitigation
	<p><del>retained approved</del> archaeologist, and <del>appropriate</del> local Chumash consultant(s) and present the procedures to be followed in the unlikely event that human remains are uncovered. These procedures must include those identified by Public Resources Code § 5097.98. <del>In addition, a satisfactory disposition of the remains must be agreed upon by the City-approved archaeologist and appropriate local Chumash consultant(s) so as to limit future disturbance.</del> If the remains are determined to be of Chumash descent, the County Coroner has 24 hours to notify the Native American Heritage Commission (NAHC). The NAHC will then identify the person(s) thought to be the Most Likely Descendent (MLD) of the deceased Chumash; <del>who will then help determine what course of action should be taken in dealing with the remains. The MLD will then in consultation with the City-approved archaeologist and appropriate local Chumash consultant(s) determine what course of action should be taken in dealing with the remains, so as to limit future disturbance.</del></p> <p><b>Plan Requirements and Timing:</b> Before the City issues <del>grading</del> permits, the applicant must provide the City Planning and Environmental Review Director or designee the contact information of the Chumash consultant and the agreed upon procedures to be followed. In the event that remains are found and if the remains are found to be of Chumash origin, the County Coroner will notify the Native American Heritage Commission and the Commission will name the Most Likely Descendant (MLD). The MLD, <del>consulting City-retained</del> archaeologist, applicant, and City Planning and Environmental Review staff will consult as to the disposition of the remains. If the remains are identified as non-Chumash, the County Coroner will take possession of the remains and comply with all state and local requirements in the treatment of the remains.</p> <p><b>Monitoring:</b> The Planning and Environmental Review Director or designee must confirm that the County Coroner is notified in the event human remains are found, and that the Native American Heritage Commission is contacted if the remains are</p>	



**Table ES-1  
 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts**

Impact	Mitigation Measures	Significance After Mitigation
<p><b>Impact CR-2</b> The Project would result in a permanent reduction in the heritage value associated with a known undisturbed human burial and tribal cultural resource site located at the low density artifact scatter Northern Midden Area. <del>This would be a Class II, significant but mitigable impact [Thresholds 2 and 4]. This would be a Class I, significant and unavoidable impact.</del></p>	<p>of Chumash origin.</p> <p>Mitigation Measures CR-1(a) through CR-1(f) and the <u>measures below</u> would reduce the Project’s impact on the <u>research heritage</u> value of this cultural resource. <del>However, the heritage value of CA-SBA-56 would be unavoidably impacted through alteration of the setting.</del></p> <p><b>CR-2(a) Landscape Plan Review.</b> The applicant must <u>demonstrate that the Open Space Landscape Plan has been reviewed and approved by the local Chumash community to ensure appropriate treatment of heritage resources within the Northern Midden Area of CA-SBA-56.</u></p> <p><b>Plan Requirements and Timing.</b> This requirement must be <u>printed on the Final Open Space Landscape Plan and approved by a city approved archaeologist. Confirmation that the local Chumash community was consulted and has approved the Final Open Space Landscape Plan must be submitted for any Zoning Clearance issuance for grading.</u></p> <p><b>Monitoring.</b> The Planning and Environmental Review Director, or designee, must <u>receive evidence of the local Chumash community’s approval of the Final Open Space Landscape Plan to verify compliance with this measure.</u></p> <p><b>CR-2(b) Chumash Heritage Monument.</b> The applicant must <u>incorporate a monument placed adjacent to the Open Space passive recreational trail to highlight the Chumash heritage of the Project area. A Chumash Heritage Monument Plan must be reviewed and approved by representatives of the local Chumash community.</u></p> <p><b>Plan Requirements and Timing.</b> This requirement must be <u>printed on all plans submitted for any Zoning Clearance issued for grading. Confirmation that the local Chumash community was consulted and has approved the Chumash Heritage Monument Plan must be submitted for any LUP for</u></p>	<p><del>Significant and unavoidable. Less than significant with mitigation.</del></p>



**Table ES-1  
 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts**

Impact	Mitigation Measures	Significance After Mitigation
	<p><u>grading. The monument will be installed prior to the condition of occupancy.</u></p> <p><b>Monitoring.</b> <u>The Planning and Environmental Review Director, or designee, must receive evidence of the local Chumash community's approval of the Chumash Heritage Monument Plan to verify compliance with this measure.</u></p>	
<p><b>Impact CR-3</b> Excavations in the low-lying areas surrounding the elevated knoll have low potential to contribute to the understanding of CA-SBA-56 occupations. This would be a Class III, <i>less than significant</i> impact [<i>Threshold 2</i>].</p>	<p>None required.</p>	<p>Less than significant without mitigation.</p>
<p><b>Cumulative Impacts.</b> <u>CA-SBA-56 has been subject to previous impacts resulting from the development of the Willow Springs I and Willow Springs II projects. While environmental review of these previous projects determined that impacts to this resource were reduced to a less than significance level through mitigation, the cumulative impact to CA-SBA-56 as a whole is potentially significant. Pursuant to CEQA Guidelines § 15355, cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time. Cumulative impacts to cultural and tribal cultural resources would be Class I, significant and unavoidable.</u></p>	<p><u>Mitigation Measures CR-1(a) through CR-1(f) would be required for cumulative impacts to cultural resources.</u></p>	<p><u>Significant and unavoidable cumulative impacts to cultural and tribal cultural resources.</u></p>
<p><b>Geology and Soils</b></p>		
<p><b>Impact GEO-1</b> Project site soils are prone to liquefaction, which could cause settlement in a seismic event and expose on-site structures to property damage. Impacts would be Class II, <i>significant but mitigable</i> [<i>Thresholds 1 and 3</i>].</p>	<p><b>GEO-1 Geotechnical Design Considerations.</b> The recommendations in the Geotechnical Engineering Report (Earth Systems Pacific, 2014) related to soil engineering within and outside of the Archaeological Area must be incorporated into the Project's grading and building plans, as summarized here:</p> <p>Areas Outside the Archaeological Area:</p> <ul style="list-style-type: none"> <li>• <i>All existing fill soils should be completely removed and replaced as compacted fill. Any existing utilities that will not be serving the site must be removed or properly abandoned.</i></li> <li>• <i>Voids created by the removal of materials or utilities, and extending below the recommended over excavation depth, must be immediately called to the attention of the</i></li> </ul>	<p>Less than significant with mitigation.</p>



**Table ES-1  
 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts**

Impact	Mitigation Measures	Significance After Mitigation
	<p><i>geotechnical engineer. No fill may be placed unless the geotechnical engineer has observed the underlying soil.</i></p> <ul style="list-style-type: none"> <li>• <i>Following site preparation, soils in the building area should be removed to a level plane at a minimum depth of 3 to 8 feet below the bottom of the deepest footing or 3 to 8 feet below existing grade, whichever is deeper, as recommended by the geotechnical engineer in the field.</i></li> <li>• <i>Soils in the surface improvement area should be removed to a level plane at a minimum depth of 1-foot below the proposed subgrade elevation or 2 feet below the existing ground surface, whichever is deeper.</i></li> <li>• <i>Soils in the fill areas beyond the building and surface improvement areas should be removed to a depth of 2 feet below the existing ground surface.</i></li> <li>• <i>Stabilization of surface soils by vegetation or other means during and following construction must be implemented, particularly those disturbed during construction</i></li> </ul> <p>Areas Inside the Archaeological Area, including the 50-foot Archaeological Buffer Zone:</p> <ul style="list-style-type: none"> <li>• <i>Existing ground surface in the grading area inside of the archaeological area should be prepared for construction by removing the stockpile soils and all other existing fill soils down to the native soil surface.</i></li> <li>• <i><u>Before removing vegetation, vegetation should be sprayed with topical herbicide per manufacturer's specifications approximately 60 days before implementing grading operations. The herbicide is more effective when applied to plant leaves for better absorption</u></i></li> <li>• <i>All vegetation, debris, and other deleterious material should be removed from the native soil surface by hand (can include brushing, raking, or the use of a power blower) to the degree practicable at the ground surface such that no soil disturbance occurs.</i></li> <li>• <del><i>Remnants of the vegetation should then be sprayed with topical herbicide per manufacturer's specifications approximately 60 days prior to implementing grading operations</i></del></li> </ul>	



**Table ES-1  
 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts**

Impact	Mitigation Measures	Significance After Mitigation
	<ul style="list-style-type: none"> <li>• <i>Root ball masses must be left in place to die.</i></li> <li>• <i>Any existing utilities that will not be serving the site must be removed or properly abandoned. The appropriate method of utility abandonment will depend upon the type and depth of the utility.</i></li> <li>• <i>Surface vegetation removal and herbicide application must be accomplished 60 days prior to the geogrid placement; it is acceptable to place import sand on the native soil surface where uneven areas or undulations exist to create as level a surface as practicable to place the geogrid on as it improves both the constructability and performance of the geogrid system.</i></li> <li>• <i>The native soil surface must be covered with a tri-axial geogrid such as Tensar TX 7, or an approved equivalent. The geogrid must be anchored and/or overlapped as recommended by the manufacturer prior to placing any fill soil.</i></li> <li>• <i>The first 6 inches of fill placed on top of the geogrid must be an imported sand material reviewed and approved by the City of Goleta to provide a visual indication to avoid impeding into the native soils.</i></li> <li>• <i>Fill soils must be placed and spread from the outside to the inside of the archeological area with track earthmoving equipment such that the equipment must only be working on top of the fill soils. The fill soils must be placed such that the earthmoving equipment does not come into contact with the archeological area native soils or the geogrid.</i></li> </ul> <p>Grading (General):</p> <ul style="list-style-type: none"> <li>• <i>On-site material and approved import materials may be used as general fill and up to 18 inches below the bottom of the slab-on-grade elevation within the building area where conventional foundations will be used.</i></li> <li>• <i>A minimum of 18 inches of nonexpansive material when measured from the bottom of the conventional foundation slabs-on-grade should be placed in the building area.</i></li> </ul>	





**Table ES-1  
 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts**

Impact	Mitigation Measures	Significance After Mitigation
	<ul style="list-style-type: none"> <li>• <i>Proposed imported soils should be evaluated by a geotechnical engineer before being used, and on an intermittent basis during placement on the site.</i></li> <li>• <i>All materials used as fill should be cleaned of any debris and rocks larger than 6 inches in diameter, and no rocks larger than 3 inches in diameter should be used within the upper 3 feet of finish grade.</i></li> <li>• <i>Fill slopes should be keyed and benched into competent soil.</i></li> <li>• <i>Slopes under normal conditions should be constructed at 2:1(horizontal to vertical) or flatter inclinations. Slopes subject to inundation should be constructed at 3:1 or flatter inclinations.</i></li> <li>• <i>Stabilization of surface soils by vegetation or other means during and following construction must be implemented, particularly those disturbed during construction.</i></li> </ul> <p>If the portions of the site cannot be graded to those recommendations, rigid mat foundations should be used in lieu of conventional foundation systems.</p> <p>Foundations:</p> <ul style="list-style-type: none"> <li>• Foundations must not be constructed within 10 feet of LID drainage improvements. If this is not the case, the geotechnical engineer must review the type of LID drainage improvement planned within 10 feet of a foundation to ascertain if revised and/or supplemental foundation recommendations are needed.</li> <li>• Conventional and Rigid Mat Foundations systems must be engineered in accordance with the recommendations contained in the Geotechnical Engineering Report (Earth Systems Pacific, 2014).</li> </ul> <p><b>Plan Requirements and Timing.</b> Grading and building plans must be submitted for review and approval by the Planning and Environmental Review Director or designee before the City issues grading and building permits.</p>	



**Table ES-1  
 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts**

Impact	Mitigation Measures	Significance After Mitigation
	<b>Monitoring.</b> The Project soils engineer must observe all excavations before placement of compacted soil, gravel backfill, or rebar and concrete and report observations to the City. The City will conduct field inspections as needed.	
<b>Impact GEO-2</b> Expansive soils are present on the project site, which could damage slabs and foundations. Impacts would be Class II, <i>significant but mitigable [Threshold 4]</i> .	The recommendations in the Geotechnical Engineering Report (Earth Systems Pacific, 2014) related to removal of existing fill, site grading, and foundation design, which are required by Mitigation Measure GEO-1, would reduce impacts related to expansive soils to a less than significant level.	Less than significant with mitigation.
<b>Impact GEO-3</b> Soils on the project site are highly erodible. On-site development may increase soil erosion on the project site during and after construction. Impacts would be Class II, <i>significant but mitigable [Threshold 2]</i> .	The recommendations in the <i>Geotechnical Engineering Report</i> (Earth Systems Pacific, 2014) related to grading, drainage and landscape maintenance, which are required by Mitigation Measure GEO-1, would reduce impacts related to soil erosion to a less than significant level.	Less than significant with mitigation.
<b>Cumulative Impacts.</b> <u>Cumulative geologic hazard impacts would be less than significant and the Project's contribution would not be cumulatively considerable.</u>	<u>None required.</u>	<u>Less than significant without mitigation.</u>
<b>Greenhouse Gas Emissions</b>		
<b>Impact GHG-1</b> The Project would generate temporary as well as operational GHG emissions, which would incrementally contribute to climate change. However, combined annual GHG emissions from the Project would not exceed applicable thresholds of significance. Impacts would be Class III, <i>less than significant [Threshold 1]</i> .	None required.	Less than significant without mitigation.
<b>Impact GHG-2</b> The Project is consistent with the City of Goleta Climate Action Plan. Impacts would be Class III, <i>less than significant [Threshold 2]</i> .	None required.	Less than significant without mitigation.
<b>Cumulative Impacts.</b> <u>The Project's contribution to cumulative levels of GHGs is not cumulatively considerable because emissions associated with the Project would not exceed the quantitative locally-applicable, project-specific threshold and the Project is consistent with all applicable plans and policies pertaining to GHG reduction. Cumulative impacts related to GHG emissions would be less than significant.</u>	<u>None required.</u>	<u>Less than significant without mitigation.</u>
<b>Hazardous Materials/Risk of Upset</b>		
<b>Impact HAZ-1</b> Hazardous materials may be present in the soils on the Project site and adjoining properties. However, due to the	None required.	Less than significant without mitigation.



**Table ES-1  
 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts**

Impact	Mitigation Measures	Significance After Mitigation
depth of potentially contaminated soils and required compliance with local and regional regulations, impacts would be Class III, <i>less than significant</i> [Threshold 1 and 3].		
<b>Impact HAZ-2</b> Implementation of the Project would place residential structures and persons in proximity to existing businesses that use, store, and transport hazardous chemicals, as well as transport of hazardous materials on the existing UPRR railroad tracks and U.S. 101. <del>Onsite</del> <u>The Project would not increase risk of accident residents would therefore be exposed to a potential risk of upset associated with chemical leaks and fire from nearby businesses, derailed trains, and truck accidents. Although the probability of such incidents would be low; therefore, this impact would be Class III, less than significant and unavoidable</u> [Threshold 2].	<del>As stated in the General Plan FEIR, mitigation is not available to address the risk of upset associated with train derailment on the UPRR ROW and truck accidents on U.S. 101. The project site is also potentially subject to hazardous material releases from nearby businesses. Beyond existing regulations enforced by the County's Environmental Health Department, measures are not available to mitigate the risk of upset from these sources. None required.</del>	<u>Significant and unavoidable Less than significant without mitigation.</u>
<b>Cumulative Impacts.</b> The Project's contribution to impacts related to hazards and hazardous materials is not cumulatively considerable. <u>Cumulative impacts related to hazards and hazardous materials would be less than significant.</u>	None required.	<u>Less than significant without mitigation.</u>
<b>Hydrology and Water Quality</b>		
<b>Impact HWQ 1</b> During grading and construction of the Project, the soil surface would be subject to erosion and downstream watersheds could be subject to temporary sedimentation and discharges of various pollutants. Compliance with discharge requirements during grading and construction would ensure that hydrologic impacts from construction would be Class III, <i>less than significant</i> [Threshold 1].	None required.	Less than significant without mitigation.
<b>Impact HWQ-2</b> The Project would alter on-site drainage patterns and increase impermeable surfaces. Preparation of a maintenance agreement is required to ensure long-term protection and maintenance of drainage facilities. Impacts on site drainage would be Class II, <i>significant but mitigable</i> [Thresholds 3 and 4].	<b>HWQ-2 Maintenance Agreement and Stormwater Control Plan.</b> The applicant must execute a maintenance agreement and Stormwater Control Plan with the City, in a form approved by the City Attorney, that implements maintenance requirements for all improvements associated with all BMPs described in the final approved Hydrology and Hydraulic Analysis and Storm Water Control Plan. The agreement must be executed before the City issues any final certificate of occupancy.  <b>Plan Requirements and Timing:</b> At a minimum, the	Less than significant with mitigation.



**Table ES-1  
 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts**

Impact	Mitigation Measures	Significance After Mitigation
	<p>maintenance agreement and Stormwater Control Plan between the applicant and City must include requirements that all inline storm drain filters must be inspected, repaired, and cleaned per manufacture specifications and at a minimum before September 30th of each year. Additional inspections, repairs, and maintenance must be performed after storm events as needed throughout the rainy season (November 1st to April 15th) and/or per manufacture specifications. Any necessary major repairs must be completed before the next rainy season. Before September 30th of each year, the applicant must submit to Public Works for review and approval a report summarizing all inspections, repairs, and maintenance work done during the prior year.</p> <p><b>Monitoring:</b> City Planning and Environmental Review staff must verify compliance before approval of any occupancy permit for the Project. City Planning and Environmental Review staff must verify compliance with the provisions of the agreement periodically and respond to instances of non-compliance with the agreement.</p>	
<p><b>Impact HWQ-3</b> New sources of pollution associated with operation of the proposed residential development have the potential to affect impaired waterways in Goleta. However, compliance with State and local requirements would ensure that impacts from water pollutants would remain Class III, <i>less than significant</i> [Thresholds 5 and 8].</p>	<p>None required.</p>	<p>Less than significant without mitigation.</p>
<p><b>Impact HWQ-4</b> The Project site is located outside of a FEMA-mapped flood area. Impacts related to flood hazards would be Class III, <i>less than significant</i> [Threshold 10].</p>	<p>None required.</p>	<p>Less than significant without mitigation.</p>
<p><b>Cumulative Impacts.</b> The Project, with incorporation of the proposed on-site detention systems, implementation of storm water standards/ regulations, and implementation of mitigation measures included in this EIR would meet requirements for stormwater discharge during construction and operation of the Project. Therefore, the Project would not contribute significantly to cumulative impacts to regional water quality and hydrology.</p>	<p>None required.</p>	<p>Less than significant without mitigation.</p>



**Table ES-1  
 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts**

Impact	Mitigation Measures	Significance After Mitigation
<b>Land Use and Planning</b>		
<b>Impact LU-1</b> The Project would be consistent with most applicable General Plan policies, but would be inconsistent with several policies related to preservation of views accounting for mitigation included throughout this EIR. Impacts would be Class III, <u>less than significant and [Threshold 2]</u> .	<del>As described in Section 4.1, Aesthetics, mitigation is not available to reduce the obstruction of scenic views of the Santa Ynez Mountains from the vantage point of motorist on S. Los Carneros Road near Calle Koral. These buildings would unavoidably obstruct scenic views.</del> <u>None required.</u>	<del>Significant and unavoidable.</del> <u>Less than significant without mitigation.</u>
<b>Impact LU-2</b> The Project would be consistent with the Inland Zoning Ordinance, as adopted by the Goleta Municipal Code. Impacts would be Class III, <u>less than significant [Threshold 2]</u> .	None required.	Less than significant without mitigation.
<b>Impact LU-3</b> Temporary construction activities associated with development of the Project would potentially generate short-term compatibility effects on surrounding uses. However, temporary impacts would be less than significant with incorporation of mitigation measures included in Section 4.10, Noise. This would be a Class II, significant but mitigable, impact with mitigation measures for construction noise.	Mitigation Measure N-1 in Section 4.10, Noise, would reduce construction noise impacts to levels that would avoid significant land use compatibility impacts during construction.	Less than significant with mitigation.
<b>Impact LU-4</b> Quality of life issues identified in the City's Environmental Thresholds and Guidelines Manual include loss of privacy, neighborhood incompatibility, nuisance noise, not exceeding noise thresholds, increased traffic in quiet neighborhoods, and loss of sunlight/solar access. Impacts related to privacy, incompatibility, noise, sunlight/solar access, and neighborhood traffic would be Class II, <u>significant but mitigable [Threshold 4]</u> .	Mitigation measures AES-4(a) and AES-4(b) would be required to reduce potentially significant impacts from the Project's massing and architectural style and to ensure that building heights remain consistent with adjacent development.	Less than significant with mitigation.
<b>Cumulative Impacts.</b> Potential land use conflicts for cumulative development would be addressed on a case-by-case basis and potential impacts would be reduced through Project design review. The Project's contribution to cumulative land use impacts would be <u>less than significant.</u>	<u>None required.</u>	<u>Less than significant without mitigation.</u>
<b>Noise</b>		
<b>Impact N-1</b> Construction activities would be located within 50 feet of noise-sensitive receptors, including existing residential uses approximately 50 feet away along the southern project site border, <u>and would last for up to 36 months, including up to 22 weeks of soil hauling using heavy trucks along Camino Vista.</u> Therefore, temporary construction-related noise could <del>exceed City of Goleta</del>	<b>N-1(a) Construction Timing.</b> Construction activity and equipment maintenance is limited to the hours between 8 AM and 5 PM, Monday through Friday. No construction can occur on State holidays (e.g., Thanksgiving, Labor Day). Non-noise generating construction activities such as interior painting are not subject to these restrictions.	Significant and unavoidable.



**Table ES-1  
 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts**

Impact	Mitigation Measures	Significance After Mitigation
<p><u>Municipal Code Chapter 9.09 noise regulations result in a substantial temporary increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance.</u> This impact would be Class I, <i>significant and unavoidable [Threshold 1].</i></p>	<p><b>Plan Requirements and Timing:</b> At least one sign near each Project site entrance along Camino Vista stating these restrictions must be posted on the site. Signs must be a minimum size of 24" x 48." Signs must be in place before the beginning of and throughout grading and construction activities. Violations may result in suspension of permits.</p> <p><b>Monitoring:</b> The Planning and Environmental Review Director or designee must monitor compliance with restrictions on construction hours and must promptly investigate and respond to all complaints.</p> <p><b>N-1(b) Electrical Power.</b> Electrical power must be used to run air compressors and similar power tools.</p> <p><b>Plan Requirements and Timing:</b> The equipment area with appropriate acoustic shielding must be designated on building and grading plans. Equipment and shielding must remain in the designated location throughout construction activities.</p> <p><b>Monitoring:</b> The Planning and Environmental Review Director or designee must periodically inspect the site to ensure compliance with all noise attenuation requirements.</p> <p><b>N-1(c) Construction Noise Complaint Line.</b> The applicant must provide a non-automated telephone number for local residents and employees to call to submit complaints associated with construction noise.</p> <p><b>Plan Requirements and Timing:</b> The telephone number must be included in the notice required by Measure N-1(a) and posted on the Project site and must be easily viewed from adjacent public areas. Proof of mailing the notices must be provided to the Planning and Environmental Review Director or designee before the City issues a grading permit. At least one sign near each Project site entrance along Camino Vista with the phone number must be posted onsite. The applicant</p>	



**Table ES-1  
 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts**

Impact	Mitigation Measures	Significance After Mitigation
	<p>must inform the Planning and Development Review Director or designee of any complaints within one week of receipt of the complaint. Signs must be in place before beginning of and throughout grading and construction activities. Violations may result in suspension of permits.</p> <p><b>Monitoring:</b> Building Inspectors and Permit Compliance staff may periodically inspect and respond to complaints.</p> <p><b>N-1(d) Distancing of Vehicles and Equipment.</b> Noise and groundborne vibration construction activities whose specific location on the Project site may be flexible (e.g., operation of compressors and generators, cement mixing, general truck idling) must be conducted as far as possible from the nearest noise- and vibration-sensitive land uses.</p> <p><b>Plan Requirements and Timing.</b> The location of vehicles and equipment must be designated on building and grading plans. Equipment and vehicles must remain in the designated location throughout construction activities.</p> <p><b>Monitoring.</b> The Planning and Environmental Review Director must periodically inspect the site to ensure compliance.</p> <p><b>N-1(e) Avoid Operating Equipment Simultaneously.</b> Whenever possible, construction activities must be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.</p> <p><b>Plan Requirements and Timing.</b> The construction schedule and timing of operation of each piece of equipment must be provided by the applicant.</p> <p><b>Monitoring.</b> Planning and Environmental Review Director or designee must periodically inspect the site to ensure compliance.</p>	



**Table ES-1  
 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts**

Impact	Mitigation Measures	Significance After Mitigation
	<p><b>N-1(f) Sound Control Curtains and Acoustical Blankets.</b> Flexible sound control curtains must be placed around all drilling apparatuses, drill rigs, and jackhammers when in use. Acoustical blankets (or similarly effective temporary noise barriers) must be placed along the southern, <u>western</u>, and eastern Project site boundaries to reduce noise transmission to existing land uses to the south, <u>west</u>, and east, including residential units at the existing Willow Spring I and II sites south of the project site across Camino Vista <u>and residential units at the existing Village at Los Carneros west of the project site across South Los Carneros Road.</u></p> <p><b>Plan Requirements and Timing.</b> The equipment area with appropriate sound control curtains and the locations of acoustical blankets must be designated on building and grading plans. Equipment and shielding must remain in the designated location throughout construction activities.</p> <p><b>Monitoring.</b> Planning and Environmental Review Director or designee must monitor compliance with restrictions on construction hours and must promptly investigate and respond to all complaints.</p> <p><b>N-1(g) Newest Power Construction Equipment.</b> The Project contractor must use the newest available power construction equipment with standard recommended noise shielding and muffling devices.</p> <p><b>Plan Requirements and Timing.</b> The equipment with appropriate noise shielding and muffling must be designated on building and grading plans.</p> <p><b>Monitoring.</b> The Planning and Environmental Review Director or designee must inspect the building and grading plans before the City issues permits and periodically inspect the site to ensure compliance.</p>	
<p><b>Impact N-2</b> Project construction activities could generate intermittent levels of groundborne vibration affecting surrounding</p>	<p>None required.</p>	<p>Less than significant without mitigation.</p>





**Table ES-1  
 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts**

Impact	Mitigation Measures	Significance After Mitigation
residential development. However, the expected vibration levels during temporary construction activity would not exceed applicable standards for infrequent vibration events. This impact would be Class III, <i>less than significant</i> [Threshold 2].		
<b>Impact N-3</b> Project-generated traffic would incrementally increase traffic-related noise on study area roadway segments, which would potentially affect existing sensitive receptors on area roadways. However, the change in noise levels would not <u>result in a substantial temporary or permanent increase in ambient traffic noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance exceed significance thresholds</u> . Therefore, the effect of increased traffic noise would be Class III, less than significant [Threshold 1].	None required.	Less than significant without mitigation.
<b>Impact N-4</b> Operation of the Project would generate noise typically associated with residential development. However, noise would not <u>generate a substantial permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance affect sensitive receptors and noise levels would not exceed City thresholds</u> . Impacts would be Class III, less than significant [Threshold 1].	None required.	Less than significant without mitigation.
<b>Impact N-5</b> Construction <del>Location</del> of the Project near the Union Pacific Railroad, U.S. 101, and existing business park development could expose future residents on the project site to noise levels exceeding City standards. This impact would be Class II, <i>significant but mitigable</i> [Threshold 1].	<del><b>N-5(a) Outdoor Living Area Noise Attenuation</b></del> -Residential outdoor living spaces (e.g., patios and balconies) associated with all residential units located in the proposed Buildings 3, 4, 5, 7 and 8, facing U.S. 101 and/or the UPRR line, must be protected from sound intrusion so that they meet the City's standard of 65 dBA CNEL for outdoor living spaces. Patios and balconies for these residential units must include noise barriers up to seven feet in height to reduce traffic and train noise to meet the City's 65 dBA CNEL noise level criterion for exterior living areas. The noise barriers may be constructed of a material such as tempered glass, acrylic glass, or any masonry material with a surface density of at least three pounds per square foot. The noise barriers should have no openings or cracks.  Once building elevations and exterior design details are finalized, further noise evaluation should be performed in	Less than significant with mitigation.  Additionally, the following condition of approval to notify potential residents of the UPRR and U.S. 101 associated noise is recommended to further reduce impacts: The applicant must provide a rail line real-estate disclosure to potential occupants, providing notice of the site's proximity to the UPRR and that associated noise and vibration may be perceptible.



**Table ES-1  
 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts**

Impact	Mitigation Measures	Significance After Mitigation
	<p>order to prescribe the height of necessary noise barrier per balcony area. Failure to conclusively demonstrate the effectiveness of the proposed noise attenuation measures must result in the denial of a permit to build the affected unit.</p> <p><b>Plan Requirements and Timing:</b> These requirements must be incorporated into all construction documents submitted for approval before the issuance of a Land Use Permit for all residential units in Buildings 3, 4, 5, 7 and 8 that are facing U.S. 101 and/or the UPRR line.</p> <p><b>Monitoring:</b> The Planning and Environmental Review Director, or designee, must verify compliance before the issuance of a Land Use Permit for all residential units in Buildings 3, 4, 5, 7 and 8 that are facing U.S. 101 and/or the UPRR line. City building inspectors must verify compliance in the field before the City issues a certificate of occupancy for an affected unit. No certificate of occupancy can be issued unless compliance is achieved.</p> <p>As shown in Table 4.10-10, interior living spaces of Buildings 3, 4, 5, 7 and 8 that are facing U.S. 101 and/or the UPRR line may be subject to noise exceeding 45 dBA CNEL. Mitigation Measure N-5(b) would be required to ensure that interior noise levels do not exceed City interior noise standards.</p> <p><b>N-5(b) Indoor Noise Attenuation.</b> All residential units located in the proposed Buildings 3, 4, 5, 7 and 8 that are facing U.S. 101 and the UPRR rail line to the north and Los Carneros Road to the west must include windows with a minimum Sound Transmission Class (STC) rating of 28 STC, and forced air mechanical ventilation or air conditioning systems, satisfactory to the local building official, to adequately ventilate the interior space of the units when windows are closed to control noise, and sound rated windows. Incorporation of these design requirements would be expected to achieve an exterior to interior noise level reduction of 25 dB or greater.</p>	



**Table ES-1  
 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts**

Impact	Mitigation Measures	Significance After Mitigation
	<p>Before the City issues building permits, the applicant must submit an interior noise study to be approved by the Planning and Environmental Review Director or designee. This interior noise study must analyze the residential units in the proposed Buildings 3, 4, 5, 7 and 8 that are facing U.S. 101, the rail line, and Los Carneros Road. The interior noise study must ensure compliance with the City's 45 dBA CNEL noise standard. Failure to conclusively demonstrate the effectiveness of the proposed noise attenuation measures will result in the City denying a building permit for the affected units.</p> <p><b>Plan Requirements and Timing:</b> These requirements must be incorporated into all construction documents submitted for approval before the issuance of a Land Use Permit for the residential units in Buildings 3, 4, 5, 7 and 8 that are facing U.S. 101, the UPRR line, or Los Carneros Road.</p> <p><b>Monitoring:</b> The Planning and Environmental Review Director, or designee, must verify compliance before the City issues a permit for the residential units in Buildings 3, 4, 5, 7 and 8 that are facing U.S. 101, the UPRR line, or Los Carneros Road. The City building inspectors must verify compliance in the field before the City issues a certificate of occupancy for an affected unit. No certificate of occupancy can be issued unless compliance is achieved.</p>	
<p><b>Impact N-6</b> Development of the Project near the UPRR could expose future residents to groundborne vibration generated by passing trains. However, because vibration levels would be below applicable thresholds, impacts would be Class III, <i>less than significant [Threshold 2]</i>.</p>	<p>None required.</p>	<p>Less than significant without mitigation.</p>
<p><b>Cumulative Impacts.</b> The Project's contribution to cumulative increases in traffic noise would not be cumulatively considerable or significant. Construction noise would be localized and short-term in nature and would not contribute to cumulative noise impacts. With implementation of Mitigation Measures N-1(a) through N-1(g), cumulative noise impacts would be reduced to a less than significant level.</p>	<p>Mitigation Measures N-1(a) through N-1(g).</p>	<p>Less than significant with mitigation.</p>



**Table ES-1  
 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts**

Impact	Mitigation Measures	Significance After Mitigation
<b>Public Services</b>		
<p><b>Impact PS-1</b> The Project would increase the amount of structural development and the number of residents dependent on fire protection service from the Santa Barbara County Fire Protection District. However, service ratios and response times would remain at acceptable levels. In addition, Fire Protection District requirements would be incorporated into the Project to ensure adequate access to the Project site. Therefore, impacts related to the provision of fire protection services would be Class III, <i>less than significant</i> [Threshold 1].</p>	None required.	Less than significant without mitigation.
<p><b>Impact PS-2</b> The Project would increase the amount of structural development and the number of residents dependent on police protection service from the Santa Barbara County Sheriff’s Office. However, the Project would not result in a need for new or expanded police facilities. Therefore, impacts on police protection services would be Class III, <i>less than significant</i> [Threshold 2].</p>	None required.	Less than significant without mitigation.
<p><b>Impact PS-3</b> The Project would increase the number of residents served by GUSD and SBUSD public schools. However, additional residents would not increase school enrollment beyond capacity, and the Project developer would be required to pay school impact fees in accordance with State law. Therefore, impacts to public schools would be Class III, <i>less than significant</i> [Threshold 3].</p>	None required.	Less than significant without mitigation.
<p><b>Impact PS-4</b> The Project would increase the number of residents dependent on library services at the Goleta <del>Public</del> Valley Library. However, existing facilities would be sufficient to accommodate the increased use and annual circulation. Therefore, impacts to on library services would be Class III, <i>less than significant</i> [Threshold 3].</p>	None required.	Less than significant without mitigation.
<p><b>Cumulative Impacts.</b> The Project’s contribution to cumulative impacts to public services and facilities would be less than significant.</p>	None required.	Less than significant without mitigation.
<b>Recreation</b>		
<p><b>Impact REC-1</b> The Project would accommodate an estimated <del>776</del> <u>839</u> residents, resulting in an increase in parkland demand of <del>4.6</del> <u>4.25</u> acres. The Project would provide two private recreational facilities (clubhouse and pool for each development area) and a</p>	None required.	Less than significant without mitigation.



**Table ES-1  
 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts**

Impact	Mitigation Measures	Significance After Mitigation
two-acre public park, which would partially address the increase in demand for park and recreation facilities. As part of Project approval, City-required mitigation fees would be paid to offset the increased demand for parkland. Impacts related to recreation would be Class III, <i>less than significant [Threshold 1 and 2]</i> .		
<b>Cumulative Impacts.</b> The Project's contribution to cumulative impacts to recreational services and facilities would be less than significant.	None required.	Less than significant without mitigation.
<b>Transportation/Circulation</b>		
<del>Impact T-1 Project-generated traffic would increase existing traffic volumes on area roadways. Roadway volumes would remain within the City's Acceptable Capacity ratings. Impacts related to roadway segment volume increases would be Class III, less than significant [Threshold 1].</del> The Project would generate additional demand for public transit services and alternative transportation infrastructure. The Project would not substantially increase transit ridership or impact the operations of bicycle facilities in the Project site vicinity. Impacts related to conflict with alternative transportation program plan, ordinances or policies would be Class III, <i>less than significant [Threshold 1]</i> .	None required.	Less than significant without mitigation.
<del>Impact T-2 Project-generated traffic would increase existing turning volumes at intersections in the study area. However, Existing + Project traffic levels at intersections would operate at LOS C or better. Impacts would be Class III, less than significant [Threshold 1].</del> The project would generate vehicle miles traveled (VMT). However, the project meets the City's VMT screening criteria threshold for affordable housing. Impacts related to conflict or inconsistency with CEQA Guidelines Section 15063.3, subdivision (b) would be Class III, <i>less than significant [Threshold 2]</i> .	None required.	Less than significant without mitigation.
<del>Impact T-3</del> Three intersections and a highway segment in the CMP network are located in the vicinity of the Project site. With the addition of Project-generated traffic to existing traffic volumes, CMP intersections are forecast to operate at LOS C or better. Therefore, impacts to the CMP network would be Class III, <i>less than significant [Threshold 2]</i> .	None required.	Less than significant without mitigation.
<del>Impact T-4</del> The Project would generate additional demand for public transit services and alternative transportation infrastructure.	None required.	Less than significant without mitigation.



**Table ES-1  
 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts**

Impact	Mitigation Measures	Significance After Mitigation
<p>The Project would not substantially increase transit ridership or impact the operations of bicycle facilities in the Project site vicinity. Impacts to alternative transportation would be Class III, <i>less than significant</i> [Threshold 6].</p>		
<p><b>Impact T-5</b> Pre-Construction soil export activity would add temporary employee and heavy truck trips to intersections in the Project vicinity. Affected intersections would continue to operate at LOS C or better under the Existing + Project and Cumulative scenarios. However, haul trucks using Aero Camino east of the Project site may result in traffic impacts. Therefore, traffic impacts due to pre-construction soil hauling would be Class II, <i>significant but mitigable</i> [Threshold 1].</p>	<p><b>T-5 Pre-Construction Traffic Management Control Plan.</b> The Project applicant must submit a Pre-Construction Traffic Management Control Plan that describes the hours during which hauling may occur (presumed to be 8:30 AM to 3:30 PM), haul route, and size of trucks to be used for the pre-construction hauling activity. Construction contractors must notify truck operators that all haul trucks associated with the pre-construction soil removal phase are restricted from using Aero Camino for access to the Project site.</p> <p><b>Plan Requirements and Timing:</b> The Pre-Construction Traffic Management Control Plan must be reviewed and approved by <u>City of Goleta's Planning and Environmental Review Director (PER) or designee City Planning and Public Works Director or designee staff</u> before issuance of a Haul Permit for the Project. The approved haul route(s) must be used for soil hauling trips prior to construction as well as for the duration of construction.</p> <p><b>Monitoring:</b> City Planning and Environmental Review staff and Public <u>staff</u> Works must periodically inspect the site to ensure compliance.</p>	<p>Implementation of Mitigation Measure T-5 would ensure that <u>minimize haul trucks during the pre-construction soil removal phase would not use of Aero Camino east of the Project site during the pre-construction soil removal phase,</u> which would ensure that temporary traffic impacts would remain less than significant.</p>
<p><b>Cumulative Impacts.</b> The Project's contribution to cumulative VMT impacts and impacts to transit and bicycle facilities would be less than significant. Potential impacts associated with emergency access and transportation hazards would be site-specific and would not have corresponding cumulative effects.</p>	<p>None required.</p>	<p>Less than significant without mitigation.</p>
<p><b>Utilities and Service Systems</b></p>		
<p><b>Impact UTL-1</b> The Project would generate water demand of approximately <del>44.812</del> <u>39.4</u> AFY. This level of demand is within the GWD's current <del>1,376,346</del> AFY surplus. Therefore, impacts to water</p>	<p>None required.</p>	<p>Less than significant without mitigation.</p>



**Table ES-1  
 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts**

Impact	Mitigation Measures	Significance After Mitigation
supply would be Class III, less than significant [ <i>Thresholds 1 and 2</i> ].		
<b>Impact UTL-2</b> Wastewater generated by future residents on the Project site would flow through GWSD’s conveyance system and into GSD’s wastewater treatment plant. Existing wastewater conveyance and treatment facilities have sufficient capacity to accommodate Project-related flows. Therefore, impacts would be Class III, <i>less than significant</i> [ <i>Threshold 3 and 4</i> ].	None required.	Less than significant without mitigation.
<b>Impact UTL-3</b> Construction of the proposed structures is anticipated to take approximately 30 months and result in approximately <del>724</del> 213 tons of construction waste or <del>101</del> 85 tons per year. Construction waste would not exceed the City’s threshold of 196 tons per year. Therefore, impacts would be Class III, <i>less than significant</i> [ <i>Threshold 5 and 6</i> ].	None required.	Less than significant without mitigation.
<b>Impact UTL-4</b> The Project would generate an estimated <del>199</del> 242 tons of non-recyclable solid waste per year during operation. This amount exceeds the City’s Project-specific <u>solid waste</u> threshold of 196 tons per year. Implementation of a Solid Waste Management Plan would be required to implement waste diversion in order to reduce the amount of solid waste generated. However, impacts would remain Class I, <i>significant and unavoidable</i> [ <i>Thresholds 5 and 6</i> ].	<b>UTL-4 Solid Waste Management Plan.</b> The Project applicant must develop and implement a Solid Waste Management Plan (SWMP) to be reviewed and approved by Public Works Director, or designee, and include one or more of the following measures: <ul style="list-style-type: none"> <li>• Provision of space and/or bins for storage of recyclable materials within the Project site.</li> <li>• Establishment of a recyclable material pickup area for commercial/industrial projects (i.e., loading docks, etc.).</li> <li>• Implementation of a curbside recycling program to serve the new development.</li> <li>• Development of a plan for accessible collection of materials on a regular basis (may require establishment of private pick-up depending on availability of County-sponsored programs).</li> <li>• Implementation of a monitoring program (quarterly, bi-annually) to ensure a 33 percent to 50 percent minimum participation in recycling efforts.</li> <li>• Development of Source Reduction measures, indicating method and amount of expected reduction.</li> <li>• Implementation of a program to purchase recycled materials used in association with the Project (paper, newsprint, etc.). This should include requesting suppliers to show recycled material content.</li> </ul>	Significant and unavoidable



**Table ES-1  
 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts**

Impact	Mitigation Measures	Significance After Mitigation
	<ul style="list-style-type: none"> <li>Implementation of a backyard composting yard waste reduction program.</li> </ul> <p><b>Plan Requirements and Timing:</b> The applicant must coordinate with the Planning and Environmental Review Director, or designee, and prepare SWMP as specified in the measure.</p> <p><b>Monitoring:</b> The Planning and Environmental Review Director, or designee, must inspect the Project site periodically for the first five (5) years after completion of Project occupancy to verify compliance with the SWMP.</p>	
<p><u>Cumulative Impacts.</u> The Project would generate an estimated 242 tons of non-recyclable solid waste per year during operation. This amount exceeds the City’s cumulative solid waste threshold of 40 tons per year. Implementation of a Solid Waste Management Plan would be required to implement waste diversion in order to reduce the amount of solid waste generated. Cumulative solid waste impact would be Class I, significant and unavoidable. Cumulative impacts to all other utilities and service systems would be less than significant.</p>	<p>Mitigation UTL-4 would be required for cumulative impacts related to solid waste.</p>	<p>Significant and unavoidable cumulative solid waste impacts.</p>
<b><u>Energy</u></b>		
<p><u>Impact E-1</u> Project construction and operation would require temporary and long-term consumption of energy resources. However, the Project would not result in the wasteful, inefficient, or unnecessary consumption of energy resources. This impact would be Class III, less than significant [Threshold 1].</p>	<p>None required.</p>	<p>Less than significant without mitigation.</p>
<p><u>Impact E-2</u> The Project would not conflict with or obstruct implementation of the City’s CAP, Strategic Energy Plan, energy efficiency standards, and General Plan/Coastal Land Use Plan policies, or any other applicable plans for renewable energy or energy efficiency. This impact would be Class III, less than significant [Threshold 2].</p>	<p>None required.</p>	<p>Less than significant without mitigation.</p>
<p><u>Cumulative Impacts.</u> The Project would not have a cumulatively considerable contribution to a significant cumulative impact related to the wasteful, inefficient, and unnecessary consumption of energy resources.</p>	<p>None required.</p>	<p>Less than significant without mitigation.</p>
<b><u>Wildfire</u></b>		
<p><u>Impact WF-1</u> The Project is not located in an adopted emergency</p>	<p>None required.</p>	<p>Less than significant without mitigation.</p>





**Table ES-1  
 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts**

Impact	Mitigation Measures	Significance After Mitigation
<u>response plan or emergency evacuation area. This impact would be Class III, less than significant [Threshold 1].</u>		
<b>Impact WF-2</b> <u>The Project would not expose project occupants to significant wildfire risks due to slope, prevailing winds, or other factors. This impact would be Class III, less than significant [Threshold 2].</u>	<u>None required.</u>	<u>Less than significant without mitigation.</u>
<b>Impact WF-3</b> <u>The Project would not require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment. This impact would be Class III, less than significant [Threshold 3].</u>	<u>None required.</u>	<u>Less than significant without mitigation.</u>
<b>Impact WF-4</b> <u>The Project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. This impact would be Class III, less than significant [Threshold 4].</u>	<u>None required.</u>	<u>Less than significant without mitigation.</u>
<b>Cumulative Impact.</b> <u>The Project would not exacerbate or expose people or structures to risks associated with wildfire and would not impair emergency access or evacuation in the Project area. Therefore, the Project would not contribute to cumulative impacts due to wildfire, and cumulative impacts related to wildfire would be less than significant.</u>	<u>None required.</u>	<u>Less than significant without mitigation.</u>



*This page intentionally left blank*



## 1.0 INTRODUCTION

This document comprises the Final Environmental Impact Report (EIR) for the proposed Heritage Ridge Residential Project. The proposed project involves the development of ~~360~~ 332 residential units in eight buildings, as well as two additional recreational buildings and a public park within the City of Goleta.

The Final EIR includes the text of the original Draft EIR (circulated for public review in 2016) and the Revised Draft EIR (circulated for public review in 2021), responses to comments on the Draft EIR and the Revised Draft EIR (Sections 8.0 and 9.0), and various technical appendices. A mitigation monitoring and reporting program (MMRP) has also been prepared for the Final EIR, as a separate document. New text added or edited from the Draft EIR and the Revised Draft EIR is shown in underline format. In instances where changes to the document involve changed facts or information, the deleted text has been left in ~~striketrough~~ format. Where changes do not involve new facts or information (i.e., they involve editorial or format changes or changes to impact text based on the same facts and information), the deleted text has simply been removed from the document in order to make the Final EIR more readable.

This section discusses: (1) the EIR background; (2) the legal basis for preparing an EIR; (3) the scope and content of the EIR; (4) lead, responsible, and trustee agencies; and (5) the environmental review process required under the California Environmental Quality Act (CEQA) (California Public Resources Code §§ 21000, *et seq.*) The proposed project is described in greater detail in Section 2.0, *Project Description*.

### 1.1 ENVIRONMENTAL IMPACT REPORT BACKGROUND

A Notice of Preparation (NOP) of an EIR was distributed for a 30-day agency- and public-review period on April 6, 2015. The City received nine letters in response to the NOP. The NOP and NOP comment letters are presented in Appendix A to this EIR. An EIR Scoping Meeting was also held on April 29, 2015 in the Council Chambers of the Goleta City Hall. Note that Appendix A also includes four letters received by the City in response to plan review for the project.

The comments related to CEQA or environmental issues received during the comment period are summarized in Table 1-1.



**Table 1-1  
 Scoping Issues Received**

<b>Section</b>	<b>Subject</b>	<b>Where Subject is Addressed in EIR</b>
Air Quality	<ul style="list-style-type: none"> <li>• Clean Air Plan consistency</li> <li>• Transportation measures to reduce air quality impacts</li> <li>• Construction dust and emissions</li> <li>• Operational emissions</li> </ul>	<ul style="list-style-type: none"> <li>• Section 4.2, <i>Air Quality</i></li> </ul>
Greenhouse Gas Emissions	<ul style="list-style-type: none"> <li>• Climate change/greenhouse gas emissions</li> </ul>	<ul style="list-style-type: none"> <li>• Section 4.6, <i>Greenhouse Gas Emissions</i></li> </ul>
Hazards and Hazardous Materials	<ul style="list-style-type: none"> <li>• Asbestos reporting requirements</li> </ul>	<ul style="list-style-type: none"> <li>• Section 4.7, <i>Hazardous Materials/Risk of Upset</i></li> </ul>
Hydrology and Water Quality	<ul style="list-style-type: none"> <li>• Army Corps permit</li> <li>• Stormwater BMPs</li> </ul>	<ul style="list-style-type: none"> <li>• Section 4.8, <i>Hydrology and Water Quality</i></li> </ul>
Land Use and Planning	<ul style="list-style-type: none"> <li>• General Plan consistency</li> <li>• New housing/density</li> </ul>	<ul style="list-style-type: none"> <li>• EIR Section 4.9, <i>Land Use</i></li> </ul>
Public Facilities	<ul style="list-style-type: none"> <li>• Fire safety</li> </ul>	<ul style="list-style-type: none"> <li>• Section 4.11, <i>Public Facilities</i></li> </ul>
Transportation/Circulation	<ul style="list-style-type: none"> <li>• Transit demand/bus stops</li> <li>• Traffic and rail crossings/safety</li> <li>• Traffic congestion</li> </ul>	<ul style="list-style-type: none"> <li>• Section 4.13, <i>Transportation/ Circulation</i></li> </ul>
Utilities	<ul style="list-style-type: none"> <li>• Application for water service</li> <li>• Water demand</li> <li>• Sewer service connection</li> </ul>	<ul style="list-style-type: none"> <li>• Section 4.14, <i>Utilities and Service Systems</i></li> </ul>

The original Draft EIR for the project was circulated for a 52-day public review period between June 17, 2016 and August 8, 2016. The original 45-day comment period was scheduled to end on August 1, 2016, but was extended one calendar week at the request of the California Department of Fish and Wildlife. The City of Goleta also held an Environmental Hearing Officer meeting on July 20, 2016 to receive verbal public comments on the Draft EIR. On April 29, 2021, a Revised Draft EIR was circulated for a 45-day public review period. Subsequently, it was determined that additional revisions to the Revised Draft EIR were required, and the Revised Draft EIR was recirculated for a 45-day public review period from May 14, 2021 to June 28, 2021. The City of Goleta also held an Environmental Hearing Officer meeting on June 16, 2021 to receive verbal public comments on the Revised Draft EIR.

Subsequent to public review of the Revised Draft EIR, the grading plan was revised to reduce soil export. In addition, in response to public comments received on the Revised Draft EIR, the site plan was revised to reduce total parking, change the type of parking spaces, and increase open space in order to achieve a 100-foot buffer from the Los Carneros Creek Streamside Protection Area (SPA). These revisions are reflected throughout this Final EIR where applicable, including in the summary of the project description below. *State CEQA Guidelines, Section 15088.5*, requires that a lead agency recirculate a Draft EIR when significant new information is added to the EIR prior to certification. The revisions to the project design do not constitute “significant new information” because they do not result in a new avoidable significant effect, do not substantially increase the severity of any environmental impacts, do not identify a feasible project alternative considerably different from others previously analyzed, and do not involve new mitigation measures or substantial revisions to mitigation measures that were proposed in the Revised Draft EIR. Because these revisions to the project description clarify or strengthen the analysis of impacts in the EIR and do not constitute significant new information, recirculation of the EIR is not required pursuant to CEQA Guidelines §15088.5.



## 1.2 PURPOSE AND LEGAL AUTHORITY

The proposed project requires the discretionary approval of the City of Goleta Planning Commission and City Council. Therefore, it is subject to the environmental review requirements of CEQA. In accordance with CEQA Guidelines § 15121, the purpose of this EIR is to serve as an informational document that:

*...will inform public agency decision-makers and the public generally of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project.*

This EIR has been prepared as a Project EIR pursuant to CEQA Guidelines § 15161. A Project EIR is appropriate for a specific development project. As stated in the CEQA Guidelines § 15161:

*This type of EIR should focus primarily on the changes in the environment that would result from the development project. The EIR shall examine all phases of the project, including planning, construction, and operation.*

This EIR is to serve as an informational document for the public and City of Goleta decision-makers. The process will culminate with Planning Commission and City Council hearings to consider certification of a Final EIR and approval of the proposed project.

## 1.3 EIR SCOPE AND CONTENT

This EIR addresses environmental impacts identified by the EIR scoping to be potentially significant in the following issue areas:

- *Aesthetics and Visual Resources*
- *Air Quality*
- *Biological Resources*
- *Cultural Resources*
- *Energy*
- *Geology and Soils*
- *Greenhouse Gas Emissions*
- *Hazardous Materials/Risk of Upset*
- *Hydrology and Water Quality*
- *Land Use*
- *Noise*
- *Public Facilities*
- *Recreation*
- *Transportation/Circulation*
- *Utilities and Service Systems*
- *Wildfire*

All other issues are addressed in Appendix A and in Section 4.17, *Effects Found Not to Be Significant*.

In preparing the EIR, use was made of pertinent City policies and guidelines, certified EIRs and adopted CEQA documents, and background documents prepared by the City. A full reference list is contained in Section 7.0, *References and EIR Preparers*.

The *Alternatives* section of the EIR (Section 6.0) was prepared in accordance with CEQA Guidelines § 15126.6, which requires that an EIR examine a reasonable range of alternatives that are capable of avoiding or minimizing a project's significant effects while achieving most of the basic project objectives. The Alternatives discussion evaluates the CEQA-required "no project" alternative and four alternative



development scenarios for the site, as well as project development on an alternative site. It also identifies the environmentally superior alternative among the alternatives assessed.

The level of detail contained throughout this EIR is consistent with the requirements of CEQA and applicable court decisions. The CEQA Guidelines [14 CCR §§ 15000, *et seq.*] provide the standard of adequacy on which this document is based. The *Guidelines* state:

*An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of the proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection, but for adequacy, completeness, and a good faith effort at full disclosure. (CEQA Guidelines § 15151)*

## 1.4 LEAD, RESPONSIBLE, AND TRUSTEE AGENCIES

The *CEQA Guidelines* define lead, responsible and trustee agencies (CEQA Guidelines § 15367). The City of Goleta is the lead agency for the project because it holds principal responsibility for approving the project.

A responsible agency refers to a public agency other than the lead agency that has discretionary approval over the project (CEQA Guidelines § 15381). A trustee agency refers to a state agency having jurisdiction by law over natural resources affected by a project (CEQA Guidelines § 15386). Other public agencies whose approval may be required and are, therefore, responsible agencies, include the ~~Regional Water Quality~~ State Water Resources Control Board, the U.S. Army Corps of Engineers, and the Santa Barbara County Fire Department. There are no trustee agencies with jurisdiction over the project.

## 1.5 ENVIRONMENTAL REVIEW PROCESS

The major steps in the environmental review process, as required under CEQA, are outlined below. The steps are presented in sequential order.

1. **Notice of Preparation (NOP).** After deciding that an EIR is required, the lead agency (City of Goleta) must file an NOP of a Draft EIR soliciting input on the EIR scope to the State Clearinghouse, other concerned agencies, and parties previously requesting notice in writing (CEQA Guidelines § 15082; Public Resources Code § 21092.2). The NOP must be posted in the County Clerk's office for 30 days. The NOP may be accompanied by an Initial Study or scoping document that identifies the issue areas for which the proposed project could create significant environmental impacts.
2. **Draft Environmental Impact Report Prepared.** The Draft EIR must contain: a) table of contents or index; b) summary; c) project description and statement of project objectives; d) environmental setting; e) discussion of significant impacts (direct, indirect, cumulative, growth-inducing and unavoidable impacts); f) a discussion of alternatives; g) mitigation measures; and h) for plan amendments, a discussion of irreversible changes.



3. **Notice of Completion.** The lead agency must file a Notice of Completion with the State Clearinghouse when it completes a Draft EIR (DEIR) and prepare a Public Notice of Availability of a Draft EIR. The lead agency must place the Notice in the County Clerk's office for 30 days (Public Resources Code § 21092) and send a copy of the Notice to anyone requesting it (CEQA Guidelines § 15087). Additionally, public notice of DEIR availability must be given through at least one of the following procedures: a) publication in a newspaper of general circulation; b) posting on and off the project site; and c) direct mailing to owners and occupants of contiguous properties. The lead agency must solicit input from other agencies and the public, and respond in writing to all comments received (Public Resources Code §§ 21104 and 21253). The minimum public review period for a DEIR is 30 days. When a DEIR is sent to the State Clearinghouse for review, the public review period must be 45 days unless the Clearinghouse (Public Resources Code § 21091) approves a shorter review period.
4. **Final EIR.** A Final EIR must include: a) the DEIR; b) copies of comments received during public review; c) list of persons and entities commenting; and d) responses to comments.
5. **Certification of Final EIR.** Prior to making a decision on a proposed project, the lead agency must certify that: a) the Final EIR has been completed in compliance with CEQA and reflects the independent judgment of the City; b) the Final EIR was presented to the decision-making body of the lead agency; and c) the decision-making body reviewed and considered the information in the Final EIR prior to approving a project (CEQA Guidelines §15090).
6. **Lead Agency Project Decision.** The lead agency may: a) disapprove a project because of its significant environmental effects; b) require changes to a project to reduce or avoid significant environmental effects; or c) approve a project despite its significant environmental effects, if the proper findings and statement of overriding considerations are adopted (CEQA Guidelines § 15042-15043).
7. **Findings/Statement of Overriding Considerations.** For each significant impact of the project identified in the EIR, the lead agency must find, based on substantial evidence, that either: a) the project has been changed to avoid or substantially lessen the magnitude of the impact; b) changes to the project are within another agency's jurisdiction and such changes have or should be adopted; or c) specific economic, social, or other considerations make the mitigation measures or project alternatives infeasible (CEQA Guidelines § 15091). If an agency approves a project with unavoidable significant environmental effects, it must prepare a written Statement of Overriding Considerations that sets forth the specific social, economic, or other reasons supporting the agency's decision.
8. **Mitigation Monitoring Reporting Program.** When the lead agency makes findings on significant effects identified in the EIR, it must adopt a reporting or monitoring program for mitigation measures that were adopted or made conditions of project approval to mitigate significant effects.
9. **Notice of Determination.** The lead agency must file a Notice of Determination after deciding to approve a project for which an EIR is prepared (CEQA Guidelines §15094). A local agency must file the Notice with the County Clerk within 5 working days of approval of the project by the lead agency. The Notice must be posted for 30 days. Posting of the Notice starts a 30-day statute of limitations on CEQA legal challenges (Public Resources Code § 21167[c]).



*This page intentionally left blank*





## 2.0 PROJECT DESCRIPTION

The Heritage Ridge Residential Project (the “Project”) involves a proposal to develop 332 housing units and a two-acre neighborhood park on a 17.36 gross acre site within the Inland Area of the City of Goleta (“City”). This section describes the Project location, characteristics of the site and the Project, Project objectives, and the approvals needed to implement the Project.

### 2.1 PROJECT APPLICANT

**Project Applicant:**

Ron Wu  
FTL Heritage Ridge TG, LLC  
2082 Michelson, Fourth Floor  
Irvine, CA 92612

**Applicant’s Representatives:**

Tim Kihm & Jaren Nuzman  
TK Consulting, Inc.  
2082 Michelson, Fourth Floor  
Irvine, CA 92612

Rob Skinner & Derek Hansen  
The Towbes Group  
33 East Carrill, Suite 200  
Santa Barbara, CA 93101

John Polanskey  
Housing Authority of the County of Santa Barbara  
815 W Ocean Aveue  
Lompoc CA 93436

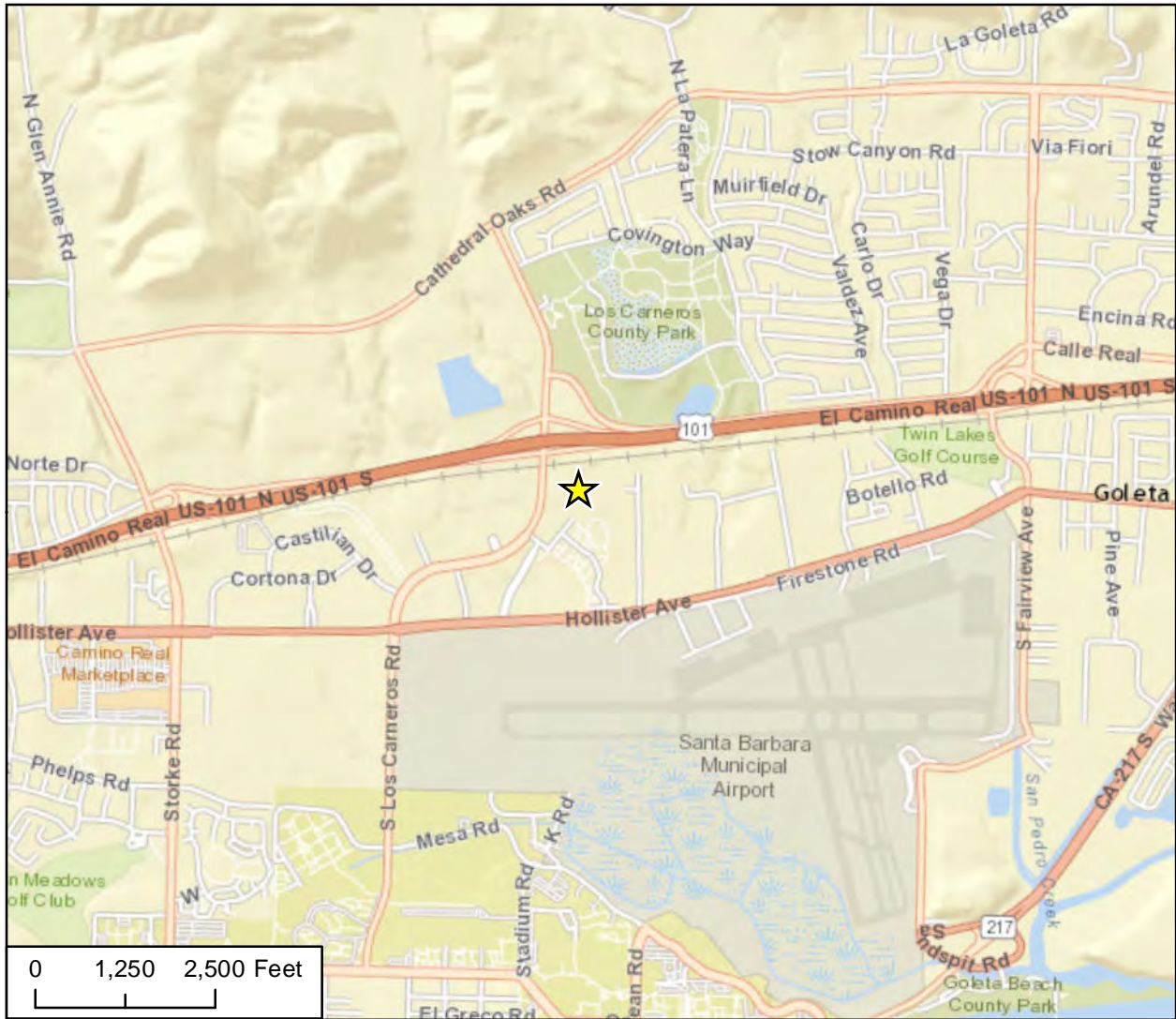
### 2.2 PROJECT SITE

#### 2.2.1 Project Location and Surrounding Land Uses

The Project site is a currently vacant site north of Camino Vista and east of South Los Carneros Road within the City of Goleta, in Santa Barbara County. The site encompasses 17.36 gross acres (16.05 net acres). The net developable area is 14.05 acres which excludes the 3.31 acres within the archaeological constraint area. The site is currently comprised of lots 1 through 13 of Tract No. 13646 in the City of Goleta, California, as per map recorded in book 150, pages 92 through 98 in the Office of the County Recorder of Santa Barbara County. These lots are also identified with assessor’s parcel numbers (APN) 073-060-031 through -043. Additional site information is provided in Table 2-1. Figure 2-1 shows the site’s location within the region, while Figure 2-2 illustrates the location of the site within the City of Goleta.

To the north of the Project site, the Union Pacific Railroad tracks are located approximately 50 feet from the site’s northern property line. The U.S. Highway 101 (U.S. 101) southbound freeway on-ramp from South Los Carneros Road is immediately north of the railroad tracks, which is approximately 160 feet from the sites’ northern property line. Highway U.S. 101 is located north of the on-ramp, approximately 250 feet from the northern property line. Calle Koral and South Los Carneros Road are located west of the Project site. A residential development (Village at Los Carneros) with 465 residential units has recently been constructed on a formerly vacant site west of South Los Carneros Road. To the east of the Project site, industrial businesses are located along Aero Camino. Across Camino Vista to the south of the Project site are 335 multi-family residential units (Willow Springs I and II) previously constructed and currently





Imagery provided by ESRI and its licensors © 2015.

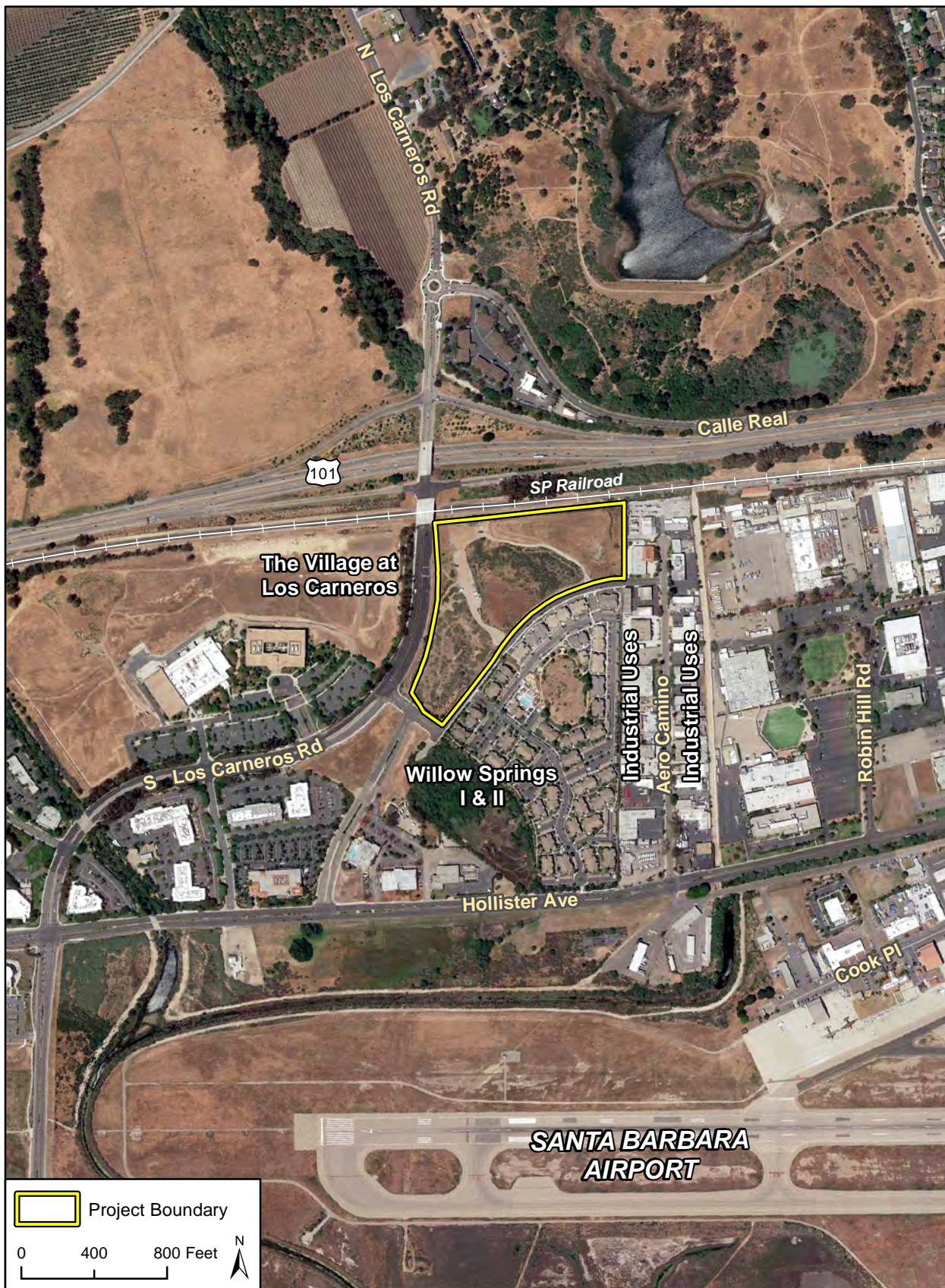
  
 Project Location



Regional Location

Figure 2-1





Imagery provided by Google and its licensors © 2015.

Site Location

Figure 2-2  
City of Goleta

managed by the Towbes Group. Surrounding land uses are labeled on the aerial view of the Project site shown on Figure 2-2.

### 2.2.2 Land Use Designation and Zoning

The Project site has a Goleta General Plan/Coastal Land Use Plan (“General Plan”) land use designation of Medium-Density Residential (R-MD) and is located in the “Central Hollister Residential Development Area” with a corresponding designation as an Affordable Housing Opportunity Site. This designation requires a minimum residential density of 20 units per acre and a maximum density of 25 units per acre. The Inland Zoning Ordinance as adopted by the Goleta Municipal Code (“GMC”) designation of Design Residential (DR-20) permits up to a maximum of 20 units per acre.<sup>1</sup> Figure 2-3 identifies the General Plan land use designations for the Project site and surrounding properties. Figure 2-4 provides the zoning designations for the Project site and the surrounding properties. Table 2-1 provides site and surrounding land use information.

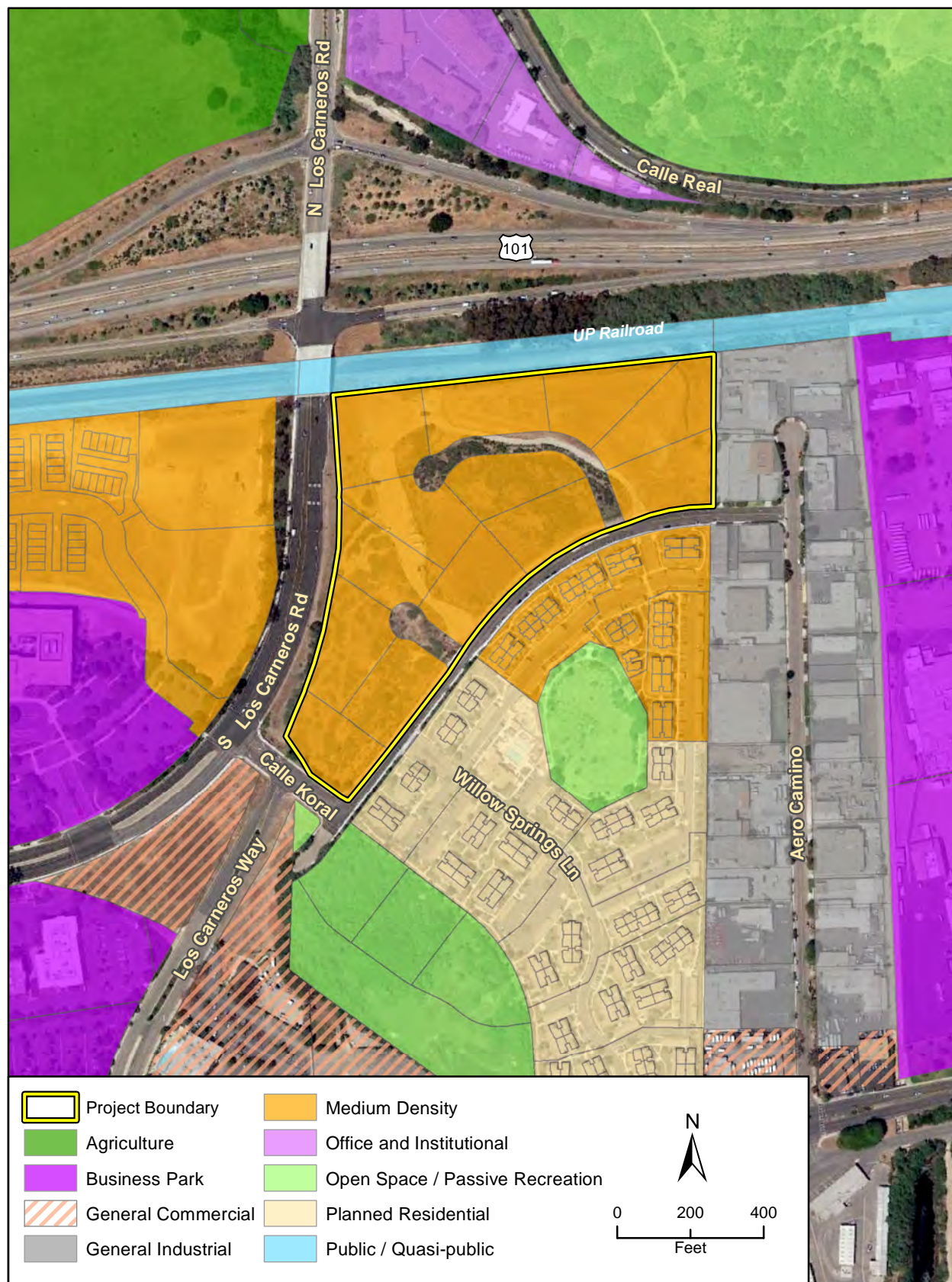
**Table 2-1  
Existing Site and Surrounding Uses**

Existing General Plan Land Use Designation	Medium Density (R-MD), Central Hollister Residential Development Area, Affordable Housing Opportunity Site, maximum 25 units/acre; minimum 20 units/acre; Planned 2-acre Neighborhood Park Site (Open Space Element Figure 3-2).
Zoning Regulations, Zone District	Article III, Chapter 35 of the Goleta Municipal Code (Inland Zoning Ordinance) zoned Design Residential, 20 units/acre  (Zoned Residential Medium (RM) under the current zoning code)
Site Size	17.36 gross acres
Developable Area (minus archeological site)	14.05 net developable acres
Present Use and Development	Undeveloped
Surrounding Uses/Zoning	North: UPRR tracks, U.S. 101 southbound on-ramp, U.S. 101 South: Camino Vista and multifamily residential development (Willow Springs I and II) zoned PRD (zoned Planned Residential [PR] under the current zoning code) East: Commercial and Industrial Businesses zoned M-1 (zoned Business Park [BP] under the current zoning code) West: Los Carneros and Calle Koral with land beyond which has recently been developed as a residential development (Villages at Los Carneros) zoned PRD (zoned Medium Density Residential [RM] under the current zoning code)
Access	Primary: Camino Vista Secondary: Calle Koral/South Los Carneros Road and Aero Camino
Public Services	Police: Santa Barbara County Sherriff’s Department Fire: Santa Barbara County Fire Department; Station 14 School Districts: Santa Barbara Unified School District/Goleta Union School District

<sup>1</sup> The Project site is currently zoned Medium Density Residential (RM). However, the Project application was deemed complete prior to September 2019, when the new zoning code (Title 17) took effect in April 2020. Therefore, the Project is being processed under the previous zoning code (Article III, Inland Zoning Code).





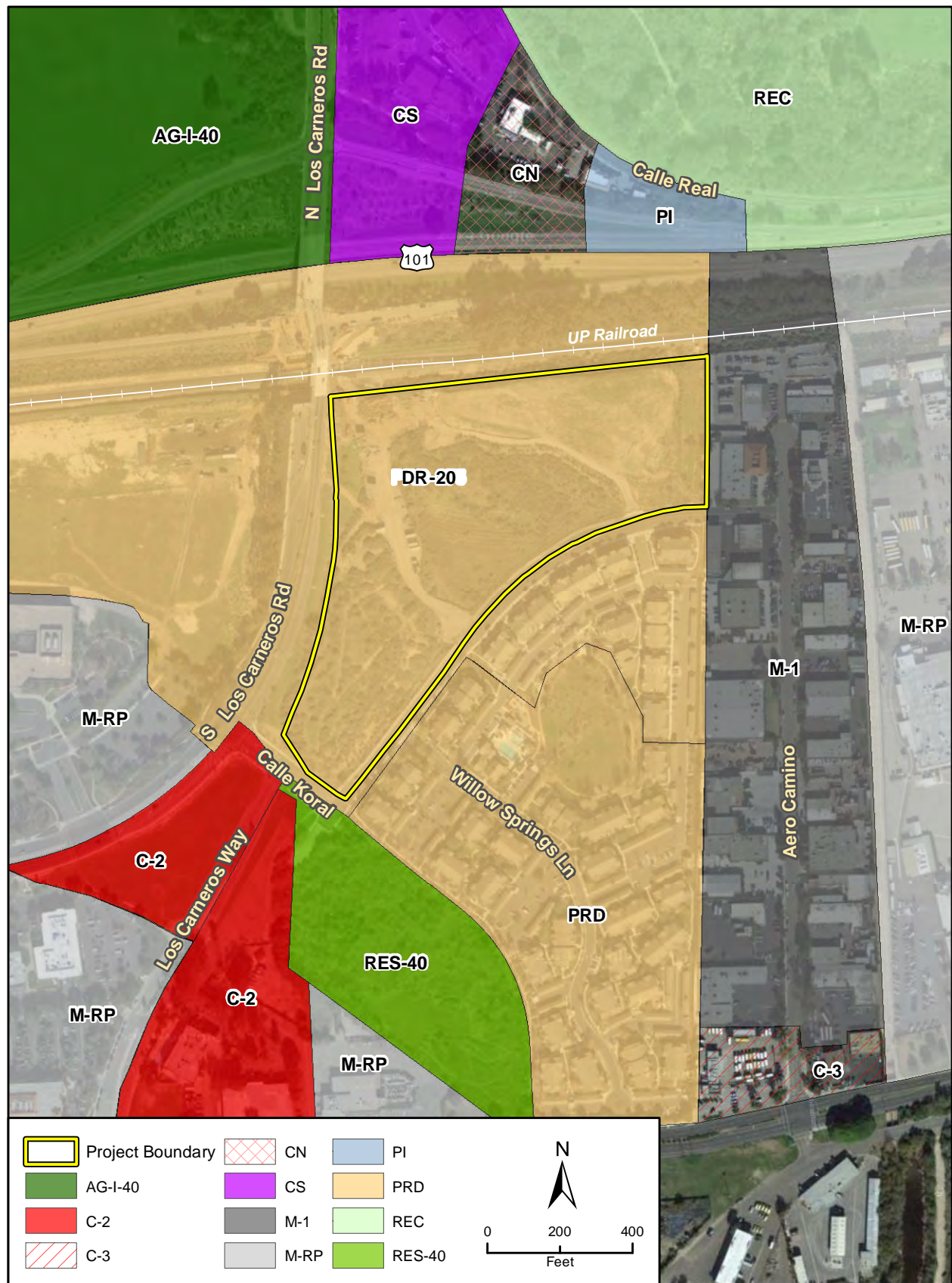


Imagery provided by Google and its licensors © 2015. Land Use data from City of Goleta, 2019.

Existing General Plan Land Use Designation  
 in Project Vicinity

Figure 2-3  
 City of Goleta





Imagery provided by Google and its licensors © 2015. Zoning data from City of Goleta, 2015.

Existing Zoning in Project Vicinity

Figure 2-4  
 City of Goleta

## 2.3 SITE CHARACTERISTICS AND USES

The current characteristics of the Project site are summarized in the discussion that follows. Additional details of the current site setting can be found in Section 3.0, *Environmental Setting*, and in the individual issue area discussions in Section 4.0, *Environmental Impact Analysis*.

### 2.3.1 Historic and Current Uses

Historically, the Project site and vicinity were in agricultural production. Before 1928, the Project area was used for agriculture and grazing. An archaeologically sensitive site was identified on, and directly adjacent to the Project site. This prehistoric archaeological site was originally recorded by David Banks Rogers (1929). Based on the excavation of 46 trenches, Rogers characterized the very dense archaeological deposits associated with a village site dating to the Early Period (“Oak Grove,” 8,000 to 3,350 years before present [B.P.]), and Late Period (“Canalino,” 800 to 150 B.P.). Excavations conducted in 1982 (Gerstle and Serena, 1982) resulted in a determination that the on-site archaeological deposits were eligible for listing on the National Register of Historic Places.

In 1986, a mass grading plan for the Project site was submitted, approved, and initiated (Mac Design Associates, 1997). Initial grading on-site consisted of clearing and grubbing of orchard trees and root structures. Surface material was scraped and placed in windrows. Investigations of prehistoric cultural resources were undertaken and grading resumed outside of fenced sensitive archaeological areas (Mac Design Associates, 1997). The northwest corner of the Project site was used as a staging area for fill during the Los Carneros Road/U.S. 101 interchange construction (Mac Design Associates, 1997). Ongoing activity associated with two stockpile permits first issued in 2002 avoided the fenced archaeological area and 50-foot buffer.

Currently, the Project site consists of 13 undeveloped lots. There is no structural development on site; however, there are pieces of construction equipment and containers stored on site, as well as approximately 293,000 cubic yards of stockpiled soil.

### 2.3.2 Existing Topography, Drainage, and Vegetation

The Project site is relatively flat to gently sloping with the exception of the moderately steep slopes that define the boundary of the stockpile soils along the perimeter of the archaeological area and the eastern, western, northern, and southwestern property lines. Topography within the archaeological area is characterized by a modest ridge that trends generally northwest to southeast between 25 and 36 feet above sea level (ASL). Low-lying level soils drain generally to the south. Soil stockpiling has resulted in elevating surrounding topography to approximately 43 ASL. As a result, the central portion of the site has the highest elevations on the property and forms a ridge that divides the site drainage, with approximately half of the site draining in a westerly direction and half of the site draining in an easterly direction from the higher, center portion of the site. Ultimately, all runoff from the site drains through existing storm drains and into a 7.25-acre treatment wetland located south of the Willow Springs property. Runoff entering the treatment wetland drains across 500 feet and 950 feet of wetland vegetation before leaving the Willow Springs property at Hollister Avenue.

Soils in the Project area are mapped as Goleta fine sandy loam, 0% to 2% slopes, Milpitas-Positas fine sandy loam, 2% to 9% slopes, and Xerorthents cut and fill areas (United States Geological Survey 1982). A sparse to moderate growth of weeds and brush covers the site. Vegetative cover on the property is variable and dependent upon the activity of the stockpile (Mac Design Associates 2014).



### 2.3.3 On-Site Stockpiled Soil

Based on information provided in the Project grading plan, the amount of stockpiled dirt on the Project site totals 293,100 cubic yards. Of these 293,100 cubic yards, ~~115,000~~92,000 cubic yards of soil would be exported off-site before construction of the Project. The removal of this soil is expected to follow one of two pre-construction export scenarios (City of Goleta, 2015):

1. Pre-Construction Export Scenario 1: Total of ~~25,556~~20,444 one-way haul truck trips (~~12,778~~10,222 round truck trips) assuming a truck capacity of 9 CY over a ~~2722~~-week export phase.
2. Pre-Construction Export Scenario 2: Total of ~~11,500~~9,200 one-way haul truck trips (~~5,750~~4,600 round truck trips) assuming a truck capacity of 20 CY over a ~~2419~~-week export phase.

Soil hauling activities would also require three workers on site to load material and two trucks driven to the site daily.

## 2.4 PROJECT OBJECTIVES

The applicant's objectives for the Project are to:

1. *Complete development of residential units in the Central Hollister Residential Development area on Affordable Housing Opportunity Site.*
2. *Assist City in providing supportive/affordable housing and complying with Regional Housing Needs Allocation (RHNA) requirements*
3. *Construct ~~41~~ senior affordable apartment units, ~~63~~ family affordable apartment units, and ~~228~~ market-rate apartment units ~~at or near~~ up to the maximum density allowed by the General Plan and in keeping with the Housing Element.*
4. *Create an infill housing development project that meets the density range of 20 to 25 dwelling units per acre as envisioned for the site in the City's General Plan. ~~of medium density supportive/affordable and market-rate rental housing.~~*
5. *Fully utilize the existing public infrastructure (Camino Vista and all utilities) provided by Willow Springs and Willow Springs II.*
6. *Promote City planning goals by developing a medium density residential project located conveniently close to a major transportation corridor and to employment and recreational areas.*
7. *Provide a public neighborhood park in the location shown in General Plan Figure 3-2 (Park and Recreation Plan Map).*
8. *Protect, and preserve on-site cultural resources.*
9. *Develop multifamily residential housing while maintaining visual resources.*

## 2.5 PROJECT

The Heritage Ridge Residential Project involves a Vesting Tentative Map to merge 13 existing lots into three-lots for residential use and one lot for a two-acre public park. This includes abandonment of the associated undeveloped road parcels for Via Maya and Via Luisa. The Project also includes a request for the City to vacate the easement for South Los Carneros Road which crosses the northwestern corner of the site and the slope easement along South Los Carneros Road and Calle Koral.





A Development Plan is proposed for 332 residential apartment units in ten buildings, as well as two recreational buildings. The western portion of the Project (Area A) would be up to a 100% supportive housing project comprised of both senior affordable housing and family affordable housing units. The supportive housing component would be comprised of three residential buildings with a total of 104 units and one recreation building with a gym, plus outdoor recreation and barbecue facilities. While all of the units would be in the very low/low income category, it is unknown how many of the affordable units would also be supportive units;<sup>2</sup> the developer for these units, the Housing Authority of the County of Santa Barbara, has indicated that the actual number of supportive units would be determined based on the funding secured and could be up to 100%. In addition, the Housing Authority of the County of Santa Barbara has indicated that services (i.e., individual and group counseling, life skill workshops etc.) to support the supportive housing residents would also be provided on site and would use the indoor space planned as part of the project located in Area A. However, the specifics regarding the operational characteristics (hours of operation, frequency, number of support staff etc.) for the supportive services has not been developed yet by the Housing Authority of the County of Santa Barbara for the site since they do not know the make-up of their future residents.

Building 1, which is closest to South Los Carneros Road, would be two stories in height and would house 41 senior affordable units and a 1,500 square foot community room. Of the 41 units, 37 would have one bedroom and four would have two bedrooms. Building 2 and 3 would be three-stories in height, with two stories at both ends of Building 2 and two stories on only the south end of Building 3, near Camino Vista. Both buildings would house 63 family affordable units in total. Building 2 would have 31 units, with 3 studio, 11 one-bedroom, 9 two-bedroom, and 8 three-bedroom units. Building 3 would have 32 units, with 2 studio, 12 one-bedroom, 10 two-bedroom, and 8 three-bedroom units.

The eastern portion of the Project (Area B) would be market-rate housing comprised of seven residential buildings with a total of 228 units (Buildings 4 through 10) and one recreation building with pool, spa, gym, children's play equipment and barbecue facilities. Building 7, which is closest to Camino Vista, would have no third-floor corner units facing Camino Vista. Similar to Buildings 2 and 3, the corners on this building would be two-stories in height, in order to minimize massing at Camino Vista and to facilitate mountain corridor views.

The northern portion of Area B (Buildings 4, 5, and 6) would include two-story buildings, with 84 market-rate housing units. Of the 84 units, 52 would have one bedroom, 8 would have two bedrooms, and 24 would have three bedrooms. The eastern portion of Area B would be developed with four three-story buildings (Buildings 7, 8, 9 and 10) that would include 144 market-rate housing units. Buildings 7, 8, 9 and 10 would include 92 one-bedroom units and 52 two-bedroom units. A total of ~~227~~200 parking spaces would be provided for Buildings 7, 8, 9 and 10 in Area B. A pool, recreation area, and leasing office would be located to the south of Building 8. All units will be rental apartments.

The Project site would have a total density of 23.63 units per acre (net developable).

Proposed on-site parking provides a total of 507 parking spaces. This includes 274~~156~~ carports and 259~~338~~ uncovered parking spaces, which include three~~ten~~ van accessible spots and 15~~accessible spaces~~, for a total of 530~~494~~ parking spaces for the residential uses. Additionally, there are 13 uncovered parking spaces (including 1 accessible space) provided for the public park. The affordable component provides 165~~156~~ parking spaces rather than the required 172 spaces and the market-rate housing component

---

<sup>2</sup> Discussion of "affordable units" throughout this EIR includes supportive units.



provides ~~365~~338 spaces rather than the required 370 spaces. The total amount of required parking for the residential portion of the Project per the zoning code would be 542 spaces with ~~530~~494 spaces provided. This results in a ~~124~~8-space deficit for the residential uses. A Modification from parking requirements will not be required due to State Density Bonus Law parking reduction allowances which reduces the required parking to 455 spaces for the residential uses (see explanation below in Section 2.5.2). Table 2-2 summarizes the Project’s residential buildings and unit counts. The Project site plan is illustrated on Figure 2-5.

**Table 2-2  
 Summary of Project Residential Building and Unit Count**

<b>Building Type</b>	<b>Housing Type</b>	<b>Number of Buildings</b>	<b>Total Units</b>
2 & 3-Story Affordable Housing	Multi-family Dwelling	3 (Buildings 1, 2, and 3)	5 Studio Units 60 One-Bedroom Units 23 Two-Bedroom Units 16 Three-Bedroom Units
2-Story Market-Rate Housing	Multi-family Dwelling	3 (Buildings 4, 5, and 6)	52 One-Bedroom Units 8 Two-Bedroom Units 24 Three-Bedroom Units
3-Story Market-Rate Housing	Multi-family Dwelling	4 (Buildings 7, 8, 9 and 10)	92 One-Bedroom Units 52 Two-Bedroom Units
<b>Total</b>		<b>10</b>	<b>332 units</b>

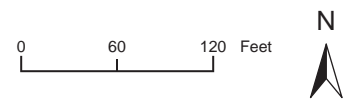
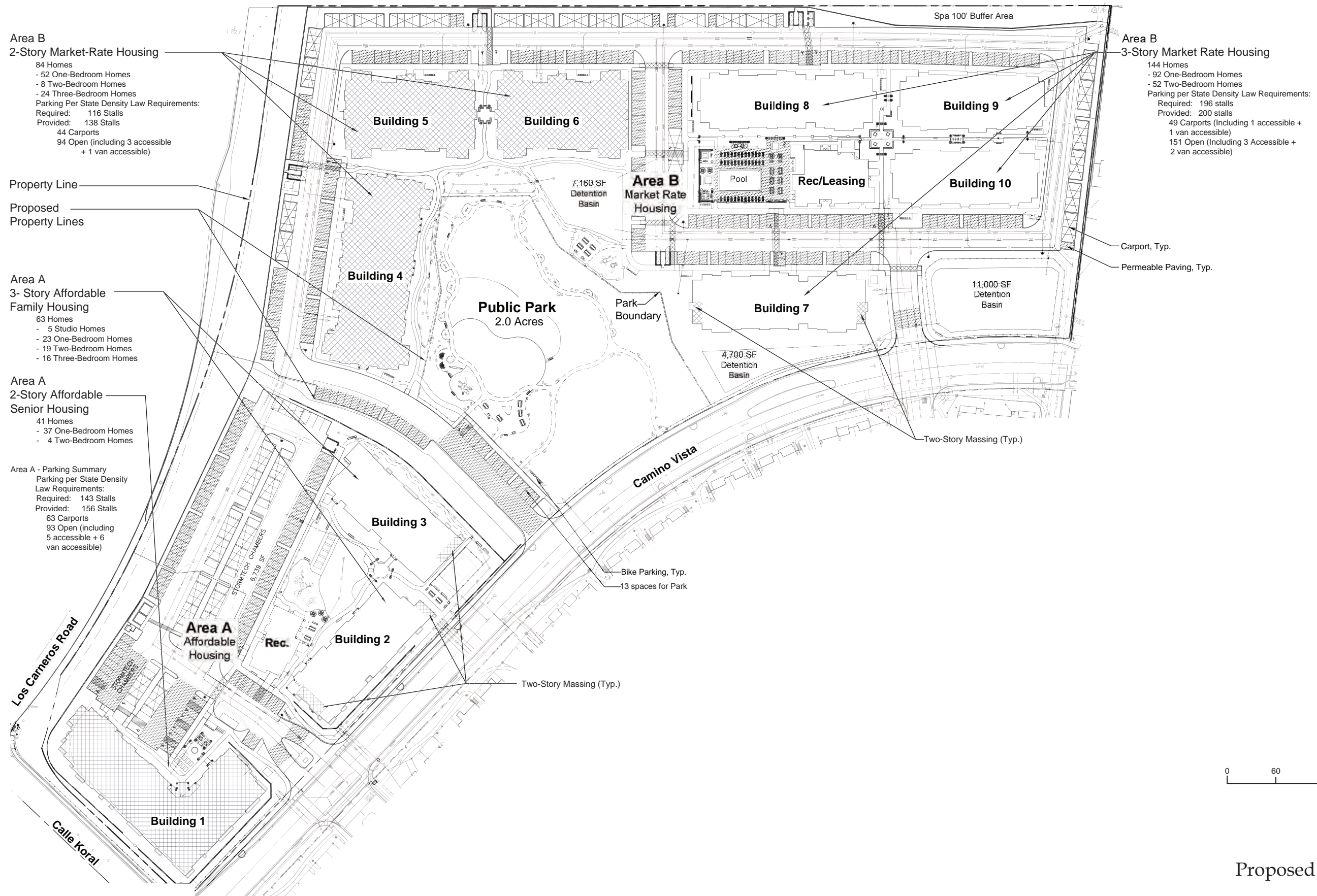
Based on an average household size of 2.72 persons for market-rate housing (228 units proposed), 2.58 persons for family affordable housing (63 units proposed) and 1.36 persons for senior affordable housing (41 units proposed), the Project’s estimated population would be approximately 839 persons (Department of Finance, 2020; Towbes, 2014; HACSB, 2020).

As described in Section 2.3.3, a total of ~~115,000~~92,000 cubic yards of soil is expected to be exported off-site before construction of the Project.

The Project also includes an amendment to the General Plan that would revise Figure 3-5 of the Open Space Element and Figure 4-1 of the Conservation Element to remove an Environmentally Sensitive Habitat Area (ESHA) designation of Coastal Sage Scrub that does not occur on the property.

Policy CE 2.2, designated Streamside Protection Areas (SPA), in the City’s General Plan Conservation Element requires a 100-foot buffer from Los Carneros Creek. ~~However, SPA buffers may be adjusted based on a site specific recommendation to the City. The project includes a request for a SPA buffer reduction of up to 33 feet in the northeast corner of the project site. If granted, the buffer would range in width from 67 to 100 feet.~~ The project has been designed to meet the 100-foot setback requirement.





Proposed Site Plan

*This page intentionally left blank.*

### 2.5.1 Site Layout/Coverage

The Project is divided into two areas on the site: Area A on the western portion of the Project site and Area B on the eastern portion of the Project site. Area A would be developed with one 2-Story building (Building 1) that would house 41 senior affordable apartment units, and two 2-to-3-Story buildings (Buildings 2 and 3) that would house 63 family affordable apartment units, and a recreation building on an approximately 214,000 gross square foot lot, fronting on Camino Vista. Area B on an approximately 404,000 gross square-foot lot would be developed with three 2-Story buildings (Buildings 4, 5, and 6) and four 3-Story buildings (Buildings 7, 8, 9 and 10) for the market-rate apartment units and a recreation building. Total building coverage is ~~23.06~~24.63% of net lot area. Common open space (excluding the park) is ~~40.43~~44.3% of net lot area. The approximately two-acre public neighborhood park with 13 parking spaces would be located in Area B. A conceptual plan of the recreation improvements includes an activity trail, fitness stations, tot lot, benches, barbecue area, picnic tables, bicycle parking, level turf play area, and native landscaping. Table 2-3 provides a summary of the Project and its amenities.

**Table 2-3  
 Project Summary Totals**

Site Coverage:	
Building Coverage	<del>3.24</del> <u>3.46</u> acres ( <del>23.06</del> <u>24.63</u> % of net site area)
Drive Aisles and Parking <sup>1,2</sup>	<del>4.47</del> <u>4.53</u> acres (approx.)
Bioretention Basins	<del>0.69</del> <u>0.79</u> acres (approx.)
Public Park	2.0 acres (approx.)
Common Open Space <sup>3</sup>	<del>5.68</del> <u>6.23</u> acres ( <del>40.43</del> <u>44.3</u> % of net site area)
<b>Net Developable Area</b> (less public park)	<b>14.05 acres</b>
Residential Units	332 total units (277,919 GSF) <ul style="list-style-type: none"> <li>• 104 affordable housing units</li> <li>• 228 market-rate homes</li> </ul>
Density	23.6 dwelling units/acre
Maximum Building Height	35 feet
Parking	<del>274</del> <u>156</u> spaces - Carport <del>259</del> <u>338</u> spaces – Open <del>31</del> <u>0</u> spaces –Van Accessible (Included in the spaces above) 13 spaces – Public Park Open <b><del>543</del><u>507</u> spaces</b> (Includes Park)
Community Amenities	<ul style="list-style-type: none"> <li>• Affordable Recreation Area (approx. 4,000 GSF)                     <ul style="list-style-type: none"> <li>- Pickle Ball Court, Picnic Areas, Community Garden &amp; Orchard, Tot Lot, Dog Area, Vegetable Beds</li> </ul> </li> <li>• Market-Rate Recreation Area (approx. 4,000 GSF)                     <ul style="list-style-type: none"> <li>- Tot Lot, Picnic Area, Lawn Activity Area, Swimming Pool, Spas, Fire Pits, BBQ</li> </ul> </li> <li>• Public Park (total 2 acres)</li> </ul>

<sup>1</sup> Drive isles and parking does not include walkways

<sup>2</sup> Carport assumes 250 square feet per parking space

<sup>3</sup> Open space includes bioretention basins, pools, and recreational area

### 2.5.2 Site Access and Parking

The existing Camino Vista that fronts on the south side of the Project site will be widened to 43-foot curb to curb allowing on-street parking on the north side of the road. Access to the Project site would be provided via three driveway connections providing ingress and egress to Camino Vista. As shown on Figure



2-5, the eastern driveway would be aligned opposite the driveway that serves the existing Willow Springs II site and the western driveway would be aligned opposite the driveway that serves the Willow Springs I site. The middle driveway connection would provide access to the site as well as the proposed public park. The eastern and middle driveways serve the market-rate housing development on Area B. The western driveway serves the affordable housing development on Area A.

The Project includes ~~165156~~ parking spaces (~~9263~~ covered carport spaces and ~~7393~~ uncovered surface spaces) for the affordable housing units, ~~365338~~ spaces for the market-rate housing units (~~17993~~ covered carport spaces and ~~186245~~ uncovered surface spaces), with an additional 13 uncovered parking spaces for the park (all public park parking spaces would be signed). The parking supplied for the individual components of the Project would not be shared. Based on the City zoning regulations, the 104-unit affordable housing component is required to provide 172 spaces, and the 228-unit market-rate housing component is required to provide 370 spaces. The proposed ~~165156~~ parking spaces for the affordable component and the proposed ~~365338~~ parking spaces for the market-rate component do not meet the City's parking requirements of the City's zoning regulations. However, because the Project will provide approximately 31% of the total units for lower income residents, the Project qualifies for prescriptive parking rights under the State Density Bonus Law. Under the State Density Bonus Law, the zoning required parking for the Project is one space for studio units and two spaces for two- and three-bedroom units. The State Density Bonus Law parking reduction allowances reduces the total required parking for the residential uses to 455 spaces. By applying these parking rights to the market-rate component, 312 spaces are required, where ~~365338~~ are provided, resulting in a ~~5326~~-space surplus for the market-rate housing. Likewise, applying these parking rights to the affordable portion of the Project results in a required 143 spaces, where ~~165156~~ have been provided, resulting in a ~~2213~~-space surplus for the affordable housing. Furthermore, to reduce any concerns over parking on the affordable side, parking spaces would be assigned specifically to a unit, and in some cases would require a lease addendum prohibiting the resident from owning a vehicle during their tenancy. Additionally, the affordable portion of this Project is intended to serve people with special needs who often cannot afford to own an operating/insured vehicle, as well as some seniors, some of whom cannot drive.

### 2.5.3 Grading/Walls

The Project would include mass grading to prepare the site to support the residential development. Grading operations would include the construction of individual building pads for each structure, over-excavation as needed for roadways and driveways, and trenching and backfilling for installation of underground utilities. Preliminary earthwork quantities are estimated at 178,000 cubic yards of cut and 15,500 cubic yards of fill. Approximately ~~115,000~~92,000 cubic yards of export required before construction of the Project, as described in detail in Section 2.3.3, *On-Site Stockpiled Soil*.

Proposed development within the sensitive portion of the identified on-site archaeological site (CA-SBA-56 Northern Midden Area; refer to Section 4.4, *Cultural Resources*, for a detailed description of the Project site setting and on-site archaeological resources) would use protective fill soils to cap the existing cultural resource. To prevent disturbance of the soil at this location, existing vegetation within the boundary of the archaeological site would be removed by hand, remaining root balls and masses would be sprayed with a topical herbicide to ensure no further growth, and the resulting dead masses of vegetation would be left in place. A geotextile tensor fabric (Tensor BX1200 or equivalent) would be placed on top of the existing ground surface to reduce the force of compaction from overlying fill soils and redistribute the compaction load force over a wider area, thereby minimizing the disturbance of friable (brittle) cultural remains such as shellfish and animal bone. No remedial grading, subgrade preparation or scarification would occur prior to placement of the geotextile fabric. Then the Northern Midden Area would be covered



in a minimum of two feet of protective fill soil, above native grades or existing grades (whichever is lower) to prevent direct impacts to archaeological resources. Fill soils would be spread from the outside in no greater than eight-inch lifts with rubber-tired equipment, such that equipment only operates on top of the fill soils.

The Project would include a masonry wall of approximately eight feet in height along the northern, eastern, and western Project boundaries.

#### **2.5.4 Stormwater and Drainage**

The Preliminary Grading and Drainage Plans (dated June 2021) for the Project show permeable pavement and bioretention area locations, as shown on Figure 2-6. The Project site includes three primary bioretention basins, as well as other smaller bioretention areas and permeable pavement throughout the Project site. The three primary bioretention basins include a ~~6,900~~ 7,160 square foot basin south of Building 6, a 4,700 square foot basin south of Building 7 along the southeast border of the Project site, and a ~~15,000~~ 11,000 square foot basin east of Building 7. Uncovered parking stalls throughout the Project would be constructed with permeable pavers set on a gravel base. Some walkways and patio area would also be constructed with permeable pavers. Runoff from roof areas would be directed to landscape areas where possible. In addition, vegetated swales, treatment planter boxes, and a subsurface ADS Stormtech Chamber system would be used as Stormwater Control Measures. The Project would be required to incorporate best management practices (BMPs) to reduce stormwater runoff from the site, consistent with the County of Santa Barbara's Storm Water Technical Guide, which the City adopted in March 2014 (County of Santa Barbara, 2014).

An existing bioretention basin is located west of the Willow Springs I development to the south of the Project site. Drainage from the Project site is tributary to the previously constructed Willow Springs I & II developments and Camino Vista, a public road. Therefore, storm drains that would be constructed as a part of the Project would tie to the existing storm drains within Willow Springs I & II, and Camino Vista, which ultimately drain to the existing retention basin located along the west boundary of Willow Springs I. The hydrological plan for the Willow Springs I & II projects accounted for the future phased development of the Project site in the design of their storm drains and the bio-retention basin. This bio-retention area is maintained in perpetuity as a wetland in accordance with the Army Corps of Engineers (ACOE) 404 permit (associated with Willow Springs I development. This wetland anticipates stormwater flow associated with Willow Springs I, Willow Springs II and Heritage Ridge (Willow Springs North). The development of the Project site will not significantly change the amount of stormwater run-off planned to sustain the wetland (Table 4.8-1, Section 4.8 *Hydrology and Water Quality*).




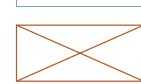


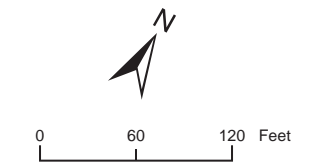
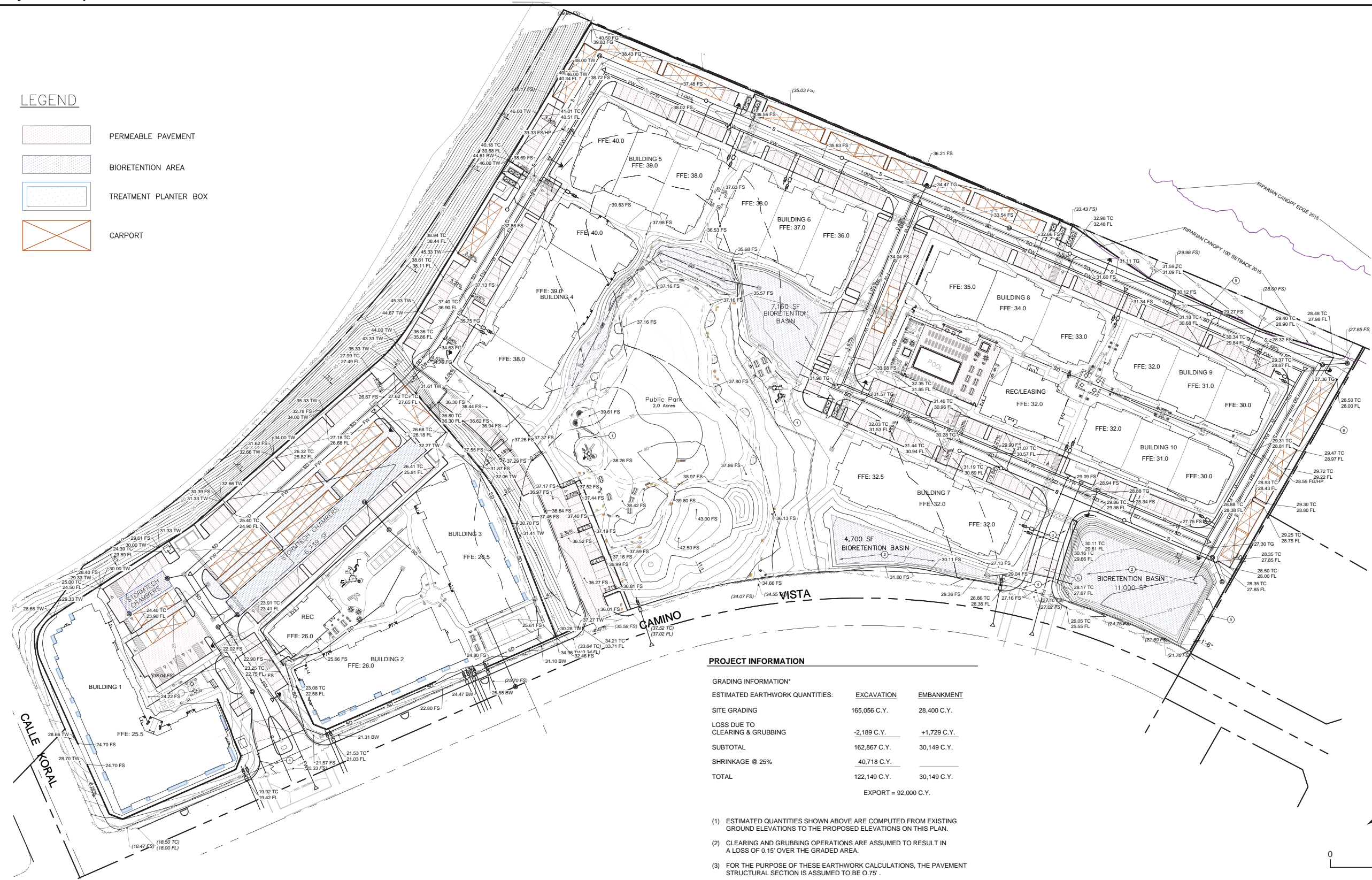
*This page intentionally left blank.*





LEGEND

-  PERMEABLE PAVEMENT
-  BIORETENTION AREA
-  TREATMENT PLANTER BOX
-  CARPORT



Grading Plan

*This page intentionally left blank.*

### 2.5.5 Landscaping

Figure 2-7 shows the Preliminary Landscape Plan for the Project, which provides a suggested plant palette and layout for the Project site. The landscape plan is comprised primarily of native or climate appropriate plants with some small turf areas for recreation purposes. Plant species in the plant palette include but are not limited to coast live oak, California sycamore, fruitless olive, dwarf bottle brush, and dwarf coyote bush. Trees, shrubs and other vegetation would be planted throughout the development as well as low-water-use, Mediterranean and wildlife habitat plant species. Landscape treatments would be provided between buildings, curb bump-outs throughout parking areas, along common walkway areas, within the neighborhood park, recreation areas, and around the perimeter of the two development sites. Within the park, a turf area is proposed on the western side adjacent to picnic tables, and a meadow with native plantings is proposed in the center of the Project site. A portion of the park area where sensitive archeological resources are located would be capped but would not be fenced. Based on the Project site plan, the total landscaped area for the Project is approximately ~~1.6~~ 5.46 acres, excluding the approximately two-acre park area, or about ~~103~~31.5% of the 17.36-gross-acre Project site.

### 2.5.6 Lighting

The Exterior Lighting Report, prepared by Alan Noelle Engineering on May 20, 2015, describes the proposed exterior lighting concepts and fixtures for the Project. LED lighting will be the primary source of exterior lighting unless a necessary fixture is not available. LED lighting possess very efficient production of light, allows for directed light to only areas where it is needed and uses less electricity than other lighting sources. Elimination of decorative fixtures allows for the primary use of LED lighting.

Pole Lighting. Due to the relatively large size (17.36 acres) of the Project site, it is necessary to utilize poles for lighting. However, the architectural design of the site limits the number of poles needed. Pole lighting will be largely limited to the proposed parking areas and the proposed neighborhood park area. The proposed poles would be slim and dark with a shallow (thin) type wedge or box type fixture at around 12'-14' in height, eliminating them from sight.

Pedestrian Level Lighting. For walkways, pathways, and other areas of pedestrian traffic, lower-level type bollard lighting is proposed. This type of lighting would possess simple shapes (round housing) with fixtures at about 42 inches tall. The light from these fixtures would be aimed downwards and outwards and would be colored to match surrounding features (i.e., benches, railing).

Site Structure Lighting. Structures on the Project site would include downlighting for security and usability. These structures include carports, trash enclosures, mailbox kiosks, and directory signs.

Visible Building Lighting. A small number of decorative lights are included in the conceptual plans for the proposed Project. These lights are to serve as visual elements, assist in determining one's location, as well as help with safety. These fixtures are proposed primarily for aesthetics and would be simple vertical shapes that would not generate significant lighting.

Hidden Building Lighting. Each proposed building would possess structurally hidden light fixtures. Downlighting or full cut-off style wall mounted fixtures would be included at every building entrance.

Park Area Lighting. The proposed lighting for the park area of the Project would include LED lighting and design features that merge the new building styles with those of the existing surrounding uses.



*This page intentionally left blank.*







Source: True Nature Landscape Architecture, November 2021.

Landscaping Plan

Figure 2-7  
City of Goleta



*This page intentionally left blank.*

## 2.5.7 Utilities

Table 2-4 summarizes the utility service providers for the Project. Water would be provided by the Goleta Water District. Sewer would be provided by the Goleta Sanitary District. Utility easements would be recorded for utility services. A portion of the Goleta West Sanitary Sewer line which is now in an easement at the eastern property boundary would be relocated into the proposed driveway at the west side of the site. All electrical distribution lines, fiber optic lines, cable television lines, phone lines, gas lines, water lines, and sewer lines would be undergrounded. Other components of the site's utility infrastructure, such as backflow preventers, transformers, water meter assemblies, gas meters, power meters, cable TV pedestals, etc. would be installed above ground. Mechanical equipment would be ground-mounted on concrete pads adjacent to the residential structures.

**Table 2-4**  
**Utility Service Providers**

Utility	Service Provider
Water Service	Goleta Water District
Sewer	Goleta West Sanitary District
Natural Gas	Southern California Gas Company
Electricity	Southern California Edison
Cable Television	Cox Communications
Telephone	Verizon, Qwest, AT&T, Level 3
Solid Waste Pick-up	Marborg Industries

A temporary halt on new water services are in effect by the Goleta Water District; however, the *Judgement Upon Arbitration Award*, Santa Barbara Superior Court Case Number 232281, states that water service may be installed for the Project subject to an existing entitlement to water as set forth in the judgement (refer to Section 4.14, *Utilities and Service Systems*, for more detail regarding water supply to the Project site). Therefore, the temporary halt on new services does not apply to the Project.

## 2.6 CONSTRUCTION

Construction activities would include site preparation, export of excess dirt, grading, building construction, paving, architectural coating, and landscaping phases. Construction of the proposed Project is estimated to take approximately 3 years. Pre-construction removal of the stockpiled soil on the Project site, described in detail in Section 2.3.3, is estimated to take up to ~~24-27~~19-22 weeks and require between ~~5,750 and 12,778~~4,600 and 10,222 round truck trips (depending on whether 20 CY or 9 CY haul trucks are used). No phasing plan is proposed at this time. Public infrastructure improvements would include fire hydrants, sidewalks, curb and gutter.

## 2.7 REQUIRED APPROVALS

The Project requires City approval of the following applications:

- ***Vesting Tentative Map (14-049-VTM)***: A vesting tentative map is proposed to combine 13 existing lots plus the existing two street parcels into four parcels



*comprising of Areas A and B (senior affordable housing/family affordable housing and market-rate housing, respectively) and the neighborhood public park. The tentative parcel map also includes the vacation of a road easement for South Los Carneros Road and an easement for landscape purposes along South Los Carneros Road and Calle Koral, and the abandonment of the undeveloped road parcels for Via Maya and Via Luisa., ~~and a request for a Streamside Protection Area (SPA) buffer reduction of up to 33 feet in the northeast corner of the project site.~~*

- **Development Plan (14-049-DP):** A Development Plan would provide project-specific development standards for the Project components including site layout, building architecture, parking and landscaping.
- **General Plan Amendment (14-049-GPA):** Amendments to General Plan Figures 3-5 and 4-1 (Open Space and Conservation Elements) to remove an Environmentally Sensitive Habitat Area (ESHA) designation of Coastal Sage Scrub that does not occur on the property.

Other public agencies whose approval may be required include:

- State Water Resources Control Board – National Pollutant Discharge Elimination System (NPDES) Construction General Permit
- ~~U.S. Army Corps of Engineers – Section 404 Clean Water Act Permit~~
- Santa Barbara County Fire Department – Access and storage of hazardous materials, which can include cleaning products, pesticides, chlorine and other swimming pool chemicals, and other materials





## 3.0 RELATED PROJECTS

Cumulative impacts are defined as two or more individual events that, when evaluated together, are significant or would compound other environmental impacts. Cumulative impacts are the changes in the environment that result from the incremental impact of the development of a proposed project and other nearby projects. For example, traffic impacts of two nearby projects may be inconsequential when analyzed separately, but could have a substantial impact when analyzed together.

CEQA Guidelines § 15130 requires a discussion of cumulative impacts. The discussion of related or cumulative projects may be drawn from either a “list of past, present, and probable future projects producing related or cumulative impacts” or a “summary of projections contained in an adopted general plan or related planning document or in a prior environmental document which has been adopted or certified, which described or evaluated regional or area wide conditions contributing to the cumulative impact.”

The cumulative analysis in this EIR considers a list of recently approved, under construction, recently completed, currently planned, and pending projects in the area, shown in Table 3-1. This City of Goleta’s list is dated January 4, 2021 and the County of Santa Barbara’s list is dated January 28, 2021, and are the most up-to-date lists available at the time of the preparation of this Revised Draft EIR (2021). Therefore, this list of related projects was determined to be appropriate for use at the time the technical analysis for this Revised Draft EIR was conducted. The location of these projects is shown in Figure 3-1. These related projects are considered in the cumulative analyses in Section 4.0, *Environmental Impact Analysis*.

**Table 3-1  
 Cumulative Projects in the Goleta Area**

Project Name	Description	Location	Project Status
<b>City of Goleta Projects</b>			
Cox Communications Building	Removal of two buildings, and the construction of a new 6,519 sf Telecommunications building.	22 South Fairview Avenue	Under construction
Cortona Apartments	176 residential units.	6830 Cortona Drive	Under construction
Beach Hazards Removal	Removal of remnant oil and gas infrastructure hazards along City coastline.	N/A	Under construction
Citrus Village	10 residential units.	7388 Calle Real	Under construction
Winslowe (Formerly Old Town Village)	Mixed Use of 175 townhomes with shopkeeper/live work units.	South Kellogg Avenue	Under construction
Cabrillo Business Park, Lot 9	New 44,924-sf building within Cabrillo Business Park.	301 Coromar Drive	Certification of occupancy issued
Cabrillo Business Park, Lot 6	New 16,750-sf building within Cabrillo Business Park.	6765 Navigator Way	Under construction
Cabrillo Business Park, Lot 7	New 31,584-sf building within Cabrillo Business Park.	6759 Navigator Way	Under construction
Hollister Village Apartments	27 Apartments and Park	7000 Hollister Avenue	Certification of occupancy issued



**Table 3-1  
 Cumulative Projects in the Goleta Area**

<b>Project Name</b>	<b>Description</b>	<b>Location</b>	<b>Project Status</b>
Site Improvements	768-sf elevator addition, and 314-sf addition to rear of building, plus a 1,100-sf new building.	130 Robin Hill Road	Under construction
Security Paving (former Highway Recycling)	Concrete and asphalt recycling facility with temporary and permanent equipment. Includes creek/SPA restoration, fencing, landscaping, trash enclosure, retaining wall, and drainage improvements.	909 South Kellogg Avenue	Under construction
MOU Agreement No. 2018-081	Plug and abandon 2 existing oil wells.	Pacific Ocean- Intertidal Zone.	Plugging complete, abandonment forthcoming
MOU Agreement No. 2018-081	Plug and abandon 32 existing oil wells.	Pacific Ocean- 2 miles from shore.	In progress
Cottage Medical Office Building	20,000 sf net new medical/dental office building.	454 S. Patterson Avenue	Under construction
Ellwood Tree Safety Emergency Permit and Ellwood North Restoration	Emergency Tree Removal for safety reasons by habitat enhancements in monarch butterfly aggregation sites.	N/A	Approved by Coastal Commission
NRG Battery Storage	Install 1 new 500KW battery storage system.	30 Las Armas Road	Approved by City; pending SCE approval
Cabrillo Business Park, Lot 5	New 23,882-sf building within Cabrillo Business Park.	6789 Navigator Way	Approved
Pacific Beverage at Cabrillo Business Park	98,780 sf warehouse/office building.	355 Coromar Drive	Approved
Kellogg Crossing Self Storage (Formerly Schwan Self Storage)	New 136,067 sf self storage facility containing 1,043 units.	10 South Kellogg Avenue	Approved
Bacara Beach House Relocation	Demolition of existing beach house and relocating/constructing new beach house.	8301 Hollister Avenue	Approved by the City; pending California Coastal Commission action
Fuel Depot	2,396 sf convenience store. No changes to existing fueling stations or canopy.	180 N. Fairview Avenue	Approved
New 7,390-sf Synagogue	New 7,390 sf Synagogue and 841 sf storage building, with sanctuary, event hall, office spaces, and kitchen. Revised parking, landscaping, and hardscaping also included.	6045 Stow Canyon Road	Approved



**Table 3-1  
 Cumulative Projects in the Goleta Area**

<b>Project Name</b>	<b>Description</b>	<b>Location</b>	<b>Project Status</b>
Log Me In Parcel Map	Subdivision of existing lot into 3 separate lots, each containing 1 existing building , and 3 new Development Plans for each new lot.	7414 and 7418 Hollister Avenue	Approved
Ellwood Butterfly Habitat Management Plan Implementation	Implement management program to restore Monarch aggregation sites, enhance biodiversity, and maintain public access, and other management plan activities.	N/A	Approved by City; Pending – California Coastal Commission approval
Kellogg Auto Center Parcel Maps and Development Plans	Façade improvements, additions, and new structures for Toyota, Honda, and Nissan dealerships. Suidvide into 3 lots for each dealership and create development plans for each new lot.	425 South Kellogg Avenue, 475 South Kellogg Avenue, 495 South Kellogg Avenue, & 5611 Hollister Avenue	Approved
General Plan Amendment Initiation	Initiation of a General Plan Amendment to Change Land Use from Single-Family Residential (R-sf) to Multi-Family Residential (R-MD)	625 Dara Road	Initiation Approved
Shelby	60 residential units.	7400 Cathedral Oaks Road	Pending/On Hold – due to water availability
Kenwood Village	60 residential units.	Calle Real w/o Calaveras Avenue	Pending/On Hold – due to water availability
Goleta Battery Energy Storage Facility	New 60 megawatt (240 mega watt hour) battery energy storage facility; lot split into two lots	6868 & 6864 Cortona Drive	Pending – Environmental Review
Calle Real Hotel	132-room 3-story hotel.	5955 Calle Real	Pending – Environmental Review
Sywest	70,594 sf high cube industrial building.	907 South Kellogg Avenue	Pending selection of EIR Consultant – On hold per applicant
Sun Group General Plan Amendment Initiation	Change designated Land Use and Zoning from Public/Quasi-Public (P- QP) to Community Commercial (CC).	5631 Calle Real	Approved
GVCH DPAM for Permanent Hollipat Parking Lot	Approve the existing, temporary parking lot for permanent use.	334 S. Patterson Ave.	Pending – CEQA review and decisions
GVCH DPRV New Rehabilitation Pool/Center	Interior remodel of the main hospital building and the construction of an aquatic facility in the southern parking lot.	351 S. Patterson Ave	Pending – CEQA review and decisions



**Table 3-1  
 Cumulative Projects in the Goleta Area**

<b>Project Name</b>	<b>Description</b>	<b>Location</b>	<b>Project Status</b>
The Grange	Demolition of existing pumphouse/equipment building and construction of a 1,339 sf commercial building. The addition of two new elevators to serve 250 and 270 Storke Road, as well as facade improvements.	250, 260, 270 Storke Road	Approved
Verizon Antenna Faux Water Tank	42' Faux Water Tank for Verizon Wireless Antenna	Fairview Avenue and Hollister Avenue	Pending – Waiting on applicant to submit revised plans
Battery Energy Storage Facility	Conditional Use Permit for a 10-megawatt (MW)/40-megawatt hour (MWh) battery-based energy storage system within a 14,400 sf portion of an existing 57,600 sf building addressed as 80 Coromar Drive.	82 Coromar Drive	Pending – City issued Incomplete Letter on 12/12/2019. Waiting on applicant's resubmittal
The Hollister: Hotel and Apartments	11, 556 sf hotel, café, and 8 residential units.	5392 and 5400 Hollister Avenue	Pending – City issued Incomplete Letter on 1/29/18
Distribution/Delivery Facility	Application for a Project Clearance within the Cabrillo Business Park Specific Plan area for a new 54,080 sf distribution/delivery facility.	355 Coromar Drive	Pending – City issued Incomplete Letter on 12/17/20
Seymour Duncan Office and R and D Buildings	New parcel map with two proposed buildings. (1) 98,780 sf warehouse/office building; and (2) 98,780 sf warehouse/office building.	5385 Hollister Avenue	Pending – City issued Incomplete Letter on 11/12/20
Camino Real Marketplace Specific Plan Initiation	Amendment to existing Camino Real Marketplace Specific Plan.	7060 Marketplace Drive	Deemed Complete March 2021 – Pending Council hearing
<b>City of Goleta Subtotal</b>		<i>516 residential units 726,444 sf non-residential</i>	
<b>Non-City of Goleta Projects in the Goleta Vicinity</b>			
Montessori Center School	New 55,779 sf Montessori Center School, including a Development Plan and lot line adjustment.	5052 Hollister Avenue, Santa Barbara, Ca (APNs 065-080-009 and 065-080-024)	In process
Abid Tract Map	One new net lot, 2 residential units	Via Valverde, Santa Barbara, Ca (APN 065-280-017)	Approved
Hourigan Development Plan	6 new residential lots, divide property into 9 parcels	1118 N Patterson Avenue, Santa Barbara, Ca (APN 069-060-044)	Approved
Galileo Pisa, LLC Apartment Building	27 unit apartment building	99 N Patterson Avenue, Santa Barbara, Ca (APNs 069-160-051 and 069-525-022)	In Process



**Table 3-1  
 Cumulative Projects in the Goleta Area**

<b>Project Name</b>	<b>Description</b>	<b>Location</b>	<b>Project Status</b>
Hourigan Development Plan	6 new residential units, divide property into 9 parcels	N Patterson Avenue, Santa Barbara, Ca (APN 069-060-040)	Approved
The Knoll Subdivision	12 single-family homes, divide parcel into 16 lots	533 N Patterson Avenue, Santa Barbara, Ca (APN 069-172-059)	Completed
Cavaletto/Noel Housing	Residential community with 134 new homes (net 132) comprised of 24 attached units, apartments, town homes or condos or affordable housing, 30 triplex units, 43 detached courtyard homes, 26 single family homes	560 Merida Drive, Santa Barbara, Ca (APNs 069-100-006, 069-100-051, 069-100-054, 069-100-057)	Completed
Glen Annie Water Well	Agricultural water well	405 Glen Annie Road, Santa Barbara, Ca (APN 077-530-021)	Approved
Ocean Meadows Residential Development	38 residential units	Elkus Walk, Santa Barbara, Ca (APN 073-090-072)	In Process
<b><i>Non-City of Goleta Subtotal</i></b>		<i>225 residential units (223 net) 55,779 sf non-residential</i>	

Note: sf = square foot

Source: City of Goleta Planning Staff, February 2021; County of Santa Barbara, 2021

Table 3-2 summarizes the total amount of development currently planned and pending within the Goleta area as listed in Table 3-1.

**Table 3-2  
 Total Cumulative Development**

<b>Type of Development</b>	<b>Total</b>
Residential	741 units
Commercial/Retail	782,223 SF







Imagery provided by Google and its licensors © 2015.

Cumulative Projects in the Goleta Area

Figure 3-1  
City of Goleta

## 4.0 ENVIRONMENTAL IMPACT ANALYSIS

This section discusses the possible environmental effects of the proposed project for the specific issue areas that were identified through the Initial Study and NOP process as having the potential to experience significant impacts. “Significant effect” is defined by CEQA Guidelines § 15382 as:

*“a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment, but may be considered in determining whether the physical change is significant.”*

The assessment of each issue area begins with a discussion of the setting relevant to that issue area. Following the setting is a discussion of the project’s impacts relative to the issue area. Within the impact analysis, the first subsection identifies the methodologies used and the “significance thresholds.” The criteria used to establish thresholds of significance are based primarily on Appendix G of the CEQA Guidelines and thresholds included in the City’s *Environmental Thresholds and Guidelines Manual*. The next subsection describes each impact of the proposed project, mitigation measures for significant impacts, and the level of significance after mitigation. Each impact under consideration for an issue area is separately listed in bold text, with the discussion of the impact and its significance following. Each bolded impact listing also contains a statement of the significance determination for the environmental impact as follows:

***Class I, Significant and Unavoidable:*** *An impact that cannot be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires a Statement of Overriding Considerations to be issued if the project is approved.*

***Class II, Significant but Mitigable:*** *An impact that can be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires findings to be made.*

***Class III, Not Significant:*** *An impact that may be adverse, but does not exceed the threshold levels and does not require mitigation measures. However, mitigation measures that could further lessen the environmental effect may be suggested if readily available and easily achievable.*

***Class IV, Beneficial:*** *An impact that would reduce existing environmental problems or hazards.*

Following each environmental impact discussion is a listing of required and/or recommended mitigation measures and the residual effects or level of significance remaining after the implementation of the measures. In those cases where implementation of the mitigation measure for an impact could have a significant environmental impact in another issue area, this impact is discussed as a residual effect.

The impact analysis concludes with a discussion of cumulative effects, which evaluates the impacts associated with the proposed project in conjunction with other recently approved, planned and pending development in the area.





*This page intentionally left blank.*



## 4.1 AESTHETICS/VISUAL RESOURCES

This section evaluates the Project's potential impacts to aesthetic and visual resources within and adjacent to the Project site. Figure 4.1-1 shows the locations from and directions in which all subsequent photos shown in this section were taken.

### 4.1.1 Setting

**a. Visual Character and Scenic Resources.** The Project site is a 17.36 gross acre area of undeveloped land surrounded by a mixture of vacant lots, multi-family residences, and industrial buildings in the City of Goleta. This site is bounded to the north by the Union Pacific Railroad (UPRR) tracks and the southbound U.S. 101 on-ramp from South Los Carneros Road; to the east by one- and two-story white industrial buildings with surface parking lots; to the south by vacant lots across Calle Koral and by two-story residences painted in earth tones at the Willow Springs Apartments south of Camino Vista; and to the west, beyond South Los Carneros Road, ~~by vacant land currently under construction for the recently constructed 460465 residential units Village at Los Carneros residential development.~~

Figure 4.1-1 shows the locations of representative photos of the Project site, and Figures 4.1-2a and 4.1-2b present these photos, which show the primary visual features on the Project site and in its surroundings. Native shrubs and ruderal vegetation predominate on-site. Providing a visual contrast with this landscape are temporary storage containers for construction debris and a staging area for construction and site maintenance located at the northwestern part of the Project site. The interior of the Project site is partially enclosed by a chain-link fence. A stand of eucalyptus trees is visible adjacent to the Project site to the north, between the UPRR tracks and U.S. 101. Looking northward from the site, the South Los Carneros Road overpass of the UPRR right-of-way (ROW) and U.S. 101 are visible adjacent to the northwest corner of the site. Approximately 0.45 miles to the southeast, the air traffic control tower at Santa Barbara Airport is partially visible from the Project site. In addition, the landmark 170-foot-tall Storke Tower is visible 1.5 miles to the south on the University of California at Santa Barbara (UCSB) campus (UC Santa Barbara, 2010).

The topography of the Project site is relatively flat to gently sloping with the exception of the moderately steep slopes that define the boundary of stockpile soils along the perimeter of the archaeological area and the eastern, western, northern, and southwestern property lines. Topography within the archaeological area is characterized by a modest ridge that trends generally northwest to southeast between 25 and 36 feet above sea level (ASL). Soil stockpiling has resulted in elevating surrounding topography to over 43 ASL. As a result, the central portion of the site forms a ridge that has the highest elevations on the property. Another defining topographic feature is the grade differential between South Los Carneros Road and the Project site. This roadway is level with the southwest corner of the Project site but rises to approximately 30 feet above the Project site on an earthen berm to the north, as it approaches an overpass of the UPRR ROW and the U.S. 101.

The Project site is mainly covered by low-growing ruderal vegetation and offers views of open space. Consequently, it offers largely unobstructed views to the north of agricultural lands and foothills along Cathedral Oaks Road and the Santa Ynez Mountains in the background. Pursuant to Policy VH 1.1 in the Visual and Historic Resources Element of the Goleta General Plan, the City has designated the foothills and the Santa Ynez Mountains as scenic resources. From South Los Carneros Road the only view obstruction of these scenic resources across the Project site to the north and northeast is a cluster of



eucalyptus trees along the UPRR ROW beyond the northern boundary of the site, as shown in Photo 1 in Figure 4.1-2a. From Camino Vista, the South Los Carneros Road overpass is visible looking across the Project site. In addition, the mainline of UPRR and U.S. 101 are visible across the Project site from South Los Carneros Road. Southward views from the Project site are completely obstructed by buildings and landscaped grounds on the Willow Springs Apartments site across Camino Vista, and by trees and shrubs to the southwest. Consequently, the Project site does not offer views to the south of the Goleta coastline and Pacific Ocean, both of which are designated scenic resources. The Project site is not designated as a scenic resource. However, it does provide views of open space from surrounding areas.

**b. Scenic Corridors.** The California Department of Transportation (Caltrans) designates highways throughout California as scenic highways. For a highway to be declared as scenic, the government with jurisdiction over the abutting land must adopt a “scenic corridor protection program” that limits development, outdoor advertising, and earthmoving around the highway. U.S. 101 is eligible for state designation as a scenic highway in the City and throughout Santa Barbara County. Additionally, the City’s Visual and Historic Resources Element lists the following roadways near the Project site as local scenic corridors, which pass through, or provide visual access to, areas of high scenic value:

- *U.S. 101*
- *Los Carneros Road (between Cathedral Oaks and U.S. 101), including the Los Carneros U.S. 101 overpass*
- *Hollister Avenue*

Although the Project site itself does not contain any designated scenic corridors, it is located in the vicinity of the U.S. 101, Los Carneros Road, and Hollister Avenue scenic corridors. The centerline of U.S. 101 is approximately 300 feet north of the Project site, ~~while Los Carneros Road is adjacent to the western boundary of the site.~~ Hollister Avenue is located approximately 1,000 feet to the south of the Project site. South Los Carneros Road runs adjacent to the western boundary of the Project site. However, the portion of South Los Carneros Road designated as a scenic corridor begins approximately 300 feet north of the Project site at the U.S. 101 overpass and extends northward. These scenic view corridors in the vicinity of the Project site are designated and protected pursuant to Policies VH 2.1 through VH 2.3 and Figure 6.1 in the Goleta General Plan.

**Other Public Road View Corridors.** The Project site is fully visible from several other nearby public roads that are not designated scenic corridors. Calle Koral and Camino Vista provide direct views of the Project site, as does Aero Camino at its intersection with Camino Vista. Hollister Avenue, located approximately 1,000 feet south of the Project site, is designated in the Goleta General Plan as a “local scenic corridor” and provides a scenic northward view of the Santa Ynez Mountains. The Project site is minimally visible from Hollister Avenue, a scenic view corridor, due to intervening vegetation and residential, commercial, and business park development.

### **c. Scenic Views**

Views from Los Carneros Road Overpass of U.S. 101. As shown in Figure 4.1-3, the City designates scenic views in all directions from the Los Carneros Road overpass of U.S. 101 and scenic views in the northern direction from the Los Carneros/ Calle Koral intersection are protected pursuant to Policy VH 2.2 and Figure 6.1 in the Goleta General Plan as scenic view corridors. The Los Carneros Road overpass also is identified in the Goleta General Plan as an important “gateway” to the



Heritage Ridge Residential Project EIR  
Section 4.1 Aesthetics/Visual Resources



Imagery provided by Google and its licensors © 2015.

Locations and Directions of Aesthetics Photos

Figure 4.1-1  
City of Goleta





**Photo 1:** Northward view from Camino Vista across center of project site.



**Photo 2:** Northwest view from Camino Vista toward S. Los Carneros Road overpass of Union Pacific Railroad tracks.







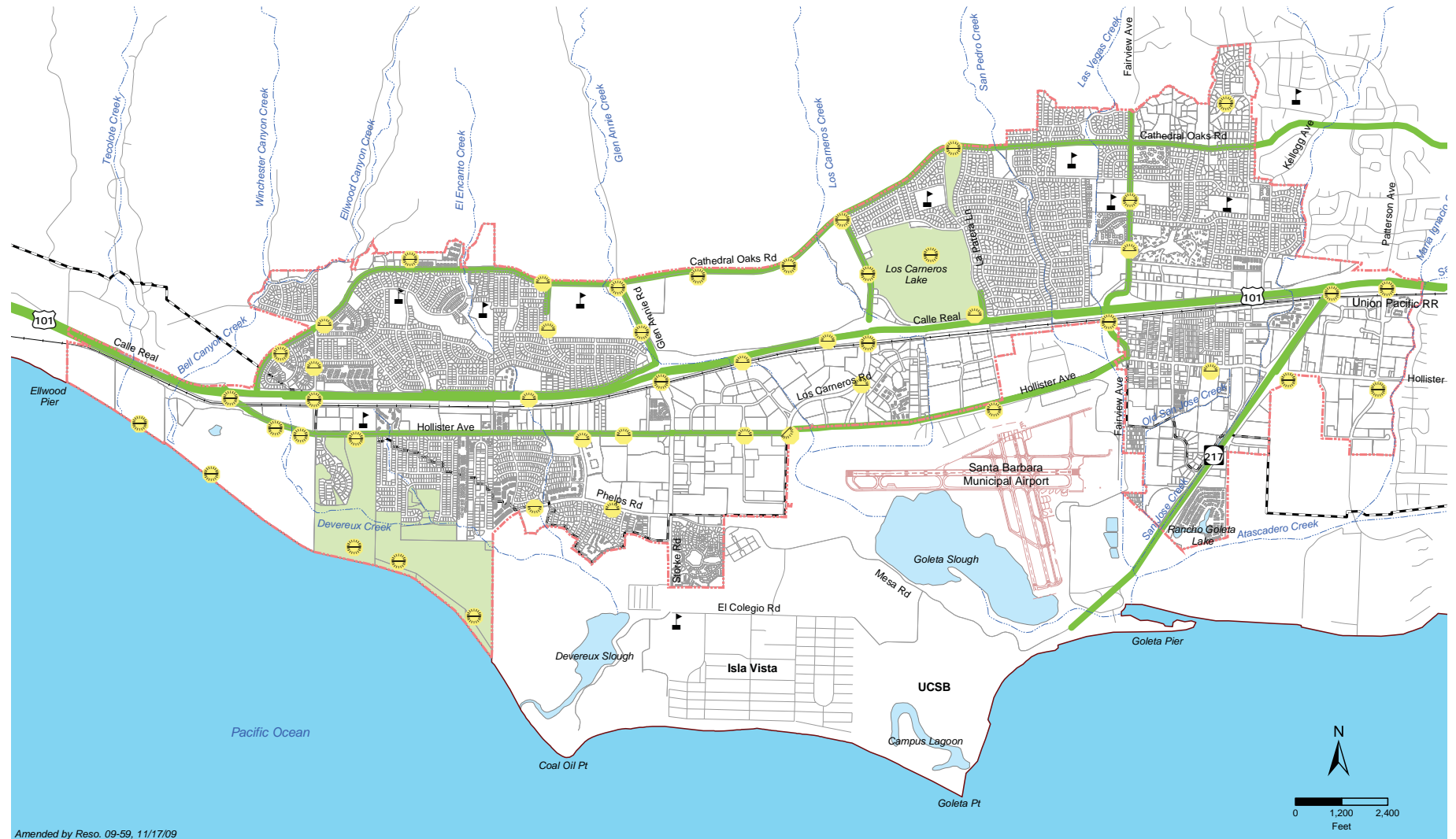
**Photo 3:** Eastward view from S. Los Carneros Road of storage containers on project site and Willow Springs Apartments across Camino Vista.



**Photo 4:** Southward view from S. Los Carneros Road of coyote brush/saltbush scrub vegetation on western portion of project site and Storke Tower on UCSB campus in background.



Heritage Ridge Residential Project EIR  
 Section 4.1 Aesthetics/Visual Resources



Amended by Reso. 09-59, 11/17/09

- |                                      |                                     |                       |
|--------------------------------------|-------------------------------------|-----------------------|
| <b>Legend</b>                        | <b>Scenic Views to be Protected</b> | <b>Other Features</b> |
| Public Lands with View Opportunities | <b>View Orientation</b>             | Goleta City Boundary  |
| <b>Scenic Corridor</b>               | Views to one Direction              | Coastal Zone          |
| Local Scenic Corridor                | Views to all Directions             | Schools               |
|                                      |                                     | Creeks                |

Source: City of Goleta General Plan, 2009.

Scenic and Visual Resources in the City of Goleta

Figure 4.1-3  
 City of Goleta



community, and is the highest-elevated public street location in the vicinity of the Project site. Northward views from the overpass, facing away from the Project site, include the foothills and Santa Ynez Mountains, which are designated scenic resources. Eastward views of the Project site are available to drivers traveling northbound on South Los Carneros Road as they approach and turn onto the southbound on-ramp to U.S. 101; these views are partially screened by eucalyptus trees and other vegetation along the UPRR ROW to the south of the on-ramp.

In addition, as shown in Figure 4.1-2b, on the southward descent from the crest of the overpass, the Project site is briefly visible to drivers and pedestrians above the guard-rail on the eastern side of Los Carneros Road. Southward views from the overpass over the Project site also include the UCSB campus on a mesa above the Goleta Slough, including Storke Tower, and a strip of the Pacific Ocean beyond Goleta Beach. From the north side of the crest of the Los Carneros overpass, the Project site is not visible.

Views from the U.S. 101 Mainline. ~~The Goleta General Plan lists U.S. 101 as~~ As a local scenic corridor throughout Goleta, U.S. 101 provides scenic views from the roadway to surrounding areas. In the vicinity of the Project site, the elevated southbound on/off-ramps at the freeway's interchange with Los Carneros Road and trees lining the UPRR ROW completely obstruct southward views of the Project site from U.S. 101. For drivers entering the U.S. 101 mainline via the southbound on-ramp from Los Carneros Road, the Project site is briefly visible to the south.

Views from Union Pacific Railroad (UPRR) Right-of-Way (ROW). ~~Although not a designated scenic corridor in the City's General Plan does not specifically identify any scenic views from the UPRR ROW,~~ the 100-foot wide UPRR ROW abuts the Project site's northern property line. The Project site is part of the view available to train passengers traveling through Goleta. The engineered track sits atop a rock bed ballast, which is set back approximately 50 feet from the northern property line. The UPRR track currently ranges from approximately four to ten feet higher than the ground surface at the northern edge of the Project site. As shown in Figure 4.1-2a, the Project site is generally open to view from the UPRR ROW, although shrub vegetation partially obstructs views of the ground surface. Because the upper tier of passenger train car windows is approximately 8 feet higher than the ballast and approximately 10 to 11 feet above the adjacent ground surface elevation of the ROW, passengers currently have brief, unobstructed views of the Project site. Further views of the coastal plain beyond the Project site are obstructed by the Willow Springs Apartments to the south.

Views from South Los Carneros Road. As discussed above, the Goleta General Plan designates northward views from the Los Carneros/Calle Koral intersection as scenic. Over the western edge of the Project site, this intersection provides scenic views of the foothills and Santa Ynez Mountains, which are only partially obstructed by scrub vegetation and trees in the UPRR ROW and on the west side of South Los Carneros Road. These views are brief from the perspective of moving vehicles on South Los Carneros Road.

Views from Other Public Roads. ~~The Project site is fully visible from several other nearby public roads that are not designated scenic corridors. Calle Koral and Camino Vista provide direct views of the Project site, as does Aero Camino at its intersection with Camino Vista. Hollister Avenue, located approximately 1,000 feet south of the Project site, is designated in the Goleta General Plan as a "local scenic corridor" and provides a scenic northward view of the Santa Ynez Mountains. The Project site is minimally visible from Hollister Avenue, a scenic view corridor, due to intervening vegetation and residential, commercial, and business park development.~~



Private Views. The Project site is visible to varying degrees from adjacent commercial and industrial developments along Aero Camino and from residential developments along Camino Vista. Because of the open, undeveloped character of the Project site, views of the Santa Ynez Mountains and foothills from these areas are not obstructed across the site.

**c. Existing Light and Glare Conditions.** Although the Project site is undeveloped and lacks on-site sources of illumination, it receives indirect lighting from off-site sources at neighboring commercial and industrial buildings, residential development, and adjacent roadways. Sources of illumination at the commercial and industrial areas, and residential development include light fixtures on the exterior of buildings and lighting emanating from windows. In addition, the Project site receives lighting from nearby street lamps along the adjacent roadways. Other sources of light and glare include headlights from passing vehicles on South Los Carneros Road, Calle Koral, Camino Vista, and the southbound on-ramp to U.S. 101, and from cars entering and exiting parking lots at neighboring commercial and industrial businesses.

**d. Regulatory Setting.** The City of Goleta adopted numerous regulations pertaining to the aesthetics of development and the preservation of scenic resources in the Visual and Historic Resources Element of the Goleta General Plan. Policies that are relevant to the Project include:

- *Policy VH 1.1: Scenic Resources*
- *Policy VH 1.2: Scenic Resources Map*
- *Policy VH 1.4: Protection of Mountain and Foothill Views*
- *Policy VH 1.5: Protection of Open Space Views*
- *Policy VH 1.6: Preservation of Natural Landforms*
- *Policy VH 1.8: Private Views*
- *Policy VH 2.1: Designated Scenic Corridors*
- *Policy VH 2.2: Preservation of Scenic Corridors*
- *Policy VH 2.3: Development Projects Along Scenic Corridors*
- *Policy VH 2.4: Public Improvements*
- *Policy VH 3.1: Community Design Character*
- *Policy VH 3.2: Neighborhood Identity*
- *Policy VH 4.4: Multifamily Residential Areas*
- *Policy VH 4.9: Landscape Design*
- *Policy VH 4.10: Streetscape and Frontage Design*
- *Policy VH 4.12: Lighting*

#### **4.1.2 Impact Analysis**

**a. Methodology and Significance Thresholds.** Assessing aesthetic impacts of the Project is inherently subjective. Viewers react to viewsheds and aesthetic conditions differently based on personal and cultural perspectives. This section evaluates the existing visual resources against the proposed development, analyzing the nature of the anticipated change and its compatibility with the visual character of the area.

The City's *Environmental Thresholds Guidelines Manual* refers to CEQA Guidelines Appendix



G. Pursuant to Appendix G, potentially significant impacts would occur if development of the Project site would:

1. *Have a substantial adverse effect on a scenic vista;*
2. *Substantially damages scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway;*
3. *In non-urbanized areas, substantially degrades the existing visual character or quality of public views of the site and its surroundings. (Public views are those that are experienced from publicly accessible vantage point.) If the Project is in an urbanized area, would the Project conflict with applicable zoning and other regulations governing scenic quality?; and/or*
4. *Create a new source of substantial light or glare ~~which~~that would adversely affect daytime or nighttime views in the area.*

**b. Project Impacts and Mitigation Measures.**

**Impact AES-1** ~~The Project would convert an open and undeveloped property into a multi-family housing complex with two- and three-story buildings. Due to the three-story height of proposed buildings on the western portion of the Project site, the~~ The Project would not significantly obstruct views of the foothills and Santa Ynez Mountains from S. Los Carneros Road at Calle Koral looking northward, which is a scenic resources from any City-designated scenic view as a result of the project redesign to reduce the height of the building closest to the South Los Carneros/Calle Koral intersection from three stories to two stories corridor. Therefore, impacts to ~~this~~ scenic view corridors would be **Class III, less than significant and unavoidable [Threshold 1].**

The Project would convert a vacant 17.36 gross acre site into a multi-family housing complex. Three two-story apartment buildings with a peak height of 27 feet would be located in the northwestern portion of the site. ~~Five~~ Four three-story apartment buildings with a peak height of 35 feet would be located in the ~~southwest and~~ northeastern portions of the site. Three two- to three-story apartment buildings would be located in the southwest portion of the site. The building closest to Los Carneros Road, which was originally proposed to be three stories in height, was reduced to two stories in height in response to feedback from City staff regarding potential impacts to scenic views of the Santa Ynez Mountains from South Los Carneros Road. All buildings onsite would have a maximum height of 35 feet. As discussed in Section 4.9, Land Use and Planning, the latter 35-foot height is consistent with height limits as measured pursuant to the City's Inland Zoning Ordinance.

Construction on the Project site would affect two designated Los Carneros Road scenic views ~~corridors~~. Figure 4.1-4 maps the locations of photo simulations from Los Carneros Road, with respect to the Project site. Figures 4.1-5, 4.1-6, and 4.1-7 present photo simulations for the Project, ~~respectively,~~ at the scenic northward view from South Los Carneros Road near Calle Koral (~~Figures 4.1-5~~), the scenic southward view from the South Los Carneros Road overpass of U.S. 101 (~~Figure 4.1-7~~), and a similar scenic southward view from South Los Carneros Road just south of the overpass (~~Figure 4.1-8~~). These figures compare ~~three scenarios at each viewpoint: existing conditions, proposed conditions without landscaping, and to the proposed conditions with five years of growth in landscaping at each viewpoint.~~







Locations and Directions of Photo Simulations

Figure 4.1-4  
City of Goleta





Current Conditions



Proposed Conditions with 5-year Growth of Landscaping

Redesigned Project Existing and  
Simulated Views from S. Los Carneros Road  
Looking North Toward Project Site





Current Conditions Without Simulated Road Construction



Proposed Conditions with 5-year Growth of Landscaping

Existing and Simulated Views from  
S. Los Carneros Road  
Looking Southeast Toward Project Site





Current Conditions



Proposed Conditions with 5-year Growth of Landscaping

Existing and Simulated Views from S. Los Carneros Road  
Looking Southeast Toward Project Site

Source: *interacta inc.*, 2021.

Figure 4.1-7

*City of Goleta*





As shown in Figure 4.1-5, South Los Carneros Road near Calle Koral currently affords a view of the foothills and Santa Ynez Mountains, scenic resources that are partially obstructed by scrub vegetation and trees in the UPRR ROW and on the west side of South Los Carneros Road. The two-story buildings in the northwestern portion of the site and the two- and three-story buildings in the southwest portion of the site would barely rise above the existing horizon from this perspective, minimally obstructing northward scenic views of the foothills and mountains. The three-story building included in the original project would have obstructed However, the three-story buildings in the southwest portion of the site would rise to a level just below the ridgeline of the Santa Ynez Mountains, obstructing public scenic views of the bulk of mountains to the northeast from the perspective of northbound motorists, pedestrians, and bicyclists on South Los Carneros Road approaching Calle Koral Road. Therefore, the Project as redesigned would have a less than significant impact on the scenic view ~~corridor~~ from South Los Carneros Road at Calle Koral looking northward to the foothills and Santa Ynez Mountains.

Views from the Los Carneros Road overpass to the south and southeast are designated scenic views corridors. The open waters of the Pacific Ocean and Goleta's shoreline/beaches are designated scenic resources. As shown in Figures 4.1-6 and 4.1-7, the southerly descent from the crest of the South Los Carneros Road overpass currently provides scenic views over the Project site toward the Pacific Ocean beyond Goleta Beach. Although the ocean is not visible in these figures' photographs of current conditions, a slice of the Pacific Ocean is visible in the distance on relatively clear days. The proposed conditions on Figure 4.1-6 show the view with the completed roadway project on South Los Carneros Road, showing ~~the 10-foot fence~~ a low-profile guardrail on the road's eastern edge. Both Figures 4.1-6 and 4.1-7 demonstrate that the proposed buildings on-site would rise nearly to the level of the horizon, but would not obstruct scenic views of the Pacific Ocean. Therefore, the Project would have a less than significant impact on views from the vantage point of the Los Carneros Road overpass ~~view corridor~~.

As discussed in Section 4.1.1, *Setting*, the Project site is not visible from the U.S. 101 mainline, which the Visual and Historic Resources Element of the Goleta General Plan lists as a scenic view corridor which provides scenic views to surrounding areas. The site is briefly visible from the southbound on-ramp from Los Carneros Road to U.S. 101. However, the site is almost 90 degrees out of the line of sight of drivers on the freeway ramp and partially obscured by trees along the UPRR ROW. Furthermore, the Project would not alter scenic views of the dramatic topography of the Santa Ynez Mountains to the northeast of the on-ramp, which are the primary scenic resource viewable from U.S. 101 in the vicinity of the Project site. Thus, any changes to views from this perspective would not be substantially evident and impacts to scenic views from the U.S. 101 would be less than significant.

Currently, Hollister Avenue offers a designated scenic view corridor of the Santa Ynez Mountains to the north. From the perspective of motorists driving on Hollister Avenue, the Project site is barely visible due to intervening buildings and landscaping at residential, commercial, and business park properties. With a maximum height of 35 feet, the proposed buildings would not obstruct or otherwise affect existing views of the Santa Ynez Mountains and foothills from Hollister Avenue. Therefore, the Project would have a less than significant impact on scenic views from Hollister Avenue.

The Project would also alter public views of the site from Camino Vista, Calle Koral, and Aero Camino. Currently, the Project site affords partial northward views of the Santa Ynez Mountains, atop existing hills on-site, from the perspectives of Calle Koral and Camino Vista. The photo simulations in Figure ~~4.1-4~~ 4.1-5 show that the proposed buildings would largely obstruct these northward views of the mountains. Because Aero Camino only offers limited mountainous views to the north and not across the Project site, the Project would not affect views from the local roadway. Although the Project would obstruct



views from Camino Vista and Calle Koral, the Visual and Historic Resources Element of the Goleta General Plan does not recognize these roadways as scenic view corridors that provide scenic views. Therefore, changes to views from these local roadways would be less than significant impacts.

While the UPRR ROW ~~is~~ does not provide any City-designated scenic views ~~corridor~~, it provides brief, unobstructed views across the Project site to the south. Based on information provided in the City of Goleta General Plan Noise Element 2006, daily rail operations include 12 freight trains with 3 occurring at night. A total of nine passenger trains pass the Project site daily on Amtrak's Pacific Surfliner route (Amtrak, 20152021). Because the Willow Springs Apartments to the south of the Project site currently obstruct further views of the coastal plain, the Project would not block any existing scenic vistas from the UPRR ROW. Therefore, the Project would not impair any existing scenic views from the railroad tracks.

The Project could potentially affect private views of the Santa Ynez Mountains, from the Willow Springs II multi-family residences to the south of the site. Currently, north-facing windows on the Willow Springs Apartments site south of Camino Vista offer expansive views of the mountains through the Project site. The proposed two- and three-story buildings and landscaping would almost entirely block these northward views. Policy VH 1.8 of the Visual and Historic Resources Element of the Goleta General Plan requires development to be considerate of private views. Nevertheless, the City has not designated the view of the mountains from a private property as scenic, and the obstruction of private views from one private property does not constitute a significant impact pursuant to CEQA, which is primarily concerned with public views.

~~Because the Project would substantially obstruct scenic views of the Santa Ynez Mountains from S. Los Carneros Road, overall~~ Overall, impacts to scenic views ~~corridors~~ would be less than significant.

**Mitigation Measures.** Given the proposed location of three story residential buildings in the southwest portion of the Project site, mitigation is not available to reduce the obstruction of scenic views of the foothills and Santa Ynez Mountains from the vantage point on S. Los Carneros Road near Calle Koral. These buildings would unavoidably obstruct scenic views. Project Alternative 4, as described in Section 6.0, *Alternatives*, would reduce the significant and unavoidable impacts associated with obstructing scenic views of the foothills and Santa Ynez Mountains. Mitigation is not required because impacts would be less than significant.

**Residual Impact.** Impacts would be significant and unavoidable because no feasible mitigation measures are available to reduce the obstruction of scenic views from S. Los Carneros Road. Impacts would be less than significant without mitigation.

**Impact AES-2** **The Project would not impact scenic resources identified in the City's Visual and Historic Resources Element, including the Santa Ynez Mountains, coastal mesas, bluffs, and the Pacific Ocean. Impacts to these scenic resources would be Class III, *less than significant [Threshold 2]*.**

The Project would be located on a vacant property in Goleta's coastal plain near U.S. 101, between the foothills of the Santa Ynez Mountains to the north and the coastline to the south. The Project site does not include scenic resources identified in Policy VH 1.1 of the Visual and Historic Resources Element of the Goleta General Plan, including the open waters of the Pacific Ocean, the shoreline, Goleta and



Devereux Sloughs, creeks and riparian vegetation, agricultural areas, Lake Los Carneros and surrounding woodlands, and prominent landforms. Impacts to designated views corridors that contain these scenic resources are discussed above under Impact AES-1. Impacts to natural landforms, such as mature trees and rock outcroppings, are discussed below in Impact AES-3. Because implementation of the Project would not impact scenic resources identified in the Goleta General Plan, impacts to scenic resources would be less than significant.

**Mitigation Measures.** Mitigation is not required because impacts would be less than significant.

**Residual Impact.** Impacts would be less than significant without mitigation.

**Impact AES-3 Construction of the proposed multi-family housing development would involve removal of native shrub vegetation on most of the site. However, no trees currently exist on-site and Project landscaping would include planting native trees on-site. Therefore, impacts to scenic natural landforms would be Class III, less than significant [Threshold 2].**

The Project would not substantially affect scenic natural landforms, as identified in Policy VH 1.6 in the Goleta General Plan. No mature trees occur on-site, and the stand of eucalyptus trees that overlooks the Project site from the north side of the UPRR tracks would remain in place. No drainage courses, prominent slopes, or bluffs occur on-site. Native shrubs and ruderal vegetation predominate on-site, as shown in the site photographs in Figure 4.1-2b, and have low to moderate scenic value from public viewpoints on surrounding roadways. The clearing of existing vegetation to make way for the proposed apartments and park would represent a minor loss of natural landforms. However, the loss of native shrub vegetation would be offset by the planting of several tree species native to California: *Cercis occidentalis* (western redbud), ~~*Cupressus macrocarpa* (Monterey cypress)~~, *Lyonothamnus floribundus* ssp. *asplenifolius* (fernleaf Catalina ironwood), *Platanus racemosa* (California sycamore), *Quercus agrifolia* (coast live oak), and *Quercus tomentella* (island live oak). As specimens of taller tree species such as ~~Monterey cypress~~, California sycamore, and the oaks mature after construction of the Project, they would become scenic resources on-site. Therefore, the Project would have a less than significant impact on scenic natural landforms.

**Mitigation Measures.** Mitigation is not required as impacts would be less than significant.

**Residual Impact.** Impacts would be less than significant without mitigation.

**Impact AES-4 The Project would permanently alter the Project site, replacing open and undeveloped land with a residential complex. ~~The massing and architectural style of the proposed buildings would not be compatible with that of adjacent multi-family residential development, although~~ However, the Project would be generally compatible with adjacent developments and landscaping would incrementally reduce changes to the character and quality of the site and surroundings ~~this contrast~~. Impacts to the visual character of the site and surroundings would be Class III, less than significant ~~but mitigable~~ [Threshold 3].**

The Project would alter the site's visual character from open and undeveloped to high-density residential. The proposed development would have a building footprint of ~~3.1~~ 3.46 acres, occupying



~~approximately 17.24.63 percent of the 17.36 gross acreage net developable area (14.05 acres) of the site parcel. The five proposed two- and three-story buildings would have a peak height of 35 feet and would be clustered in the southwest and eastern on various portions of the site. The three two-story buildings would be located in the north-central portion of the site, with a peak height of 27 feet. These proposed buildings would reduce the openness of the site and the depth of views across the site from surrounding roadways. A 2.0 approximately two-acre park would retain open space in the south-central portion of the site, with an activity trail, fitness stations, tot lot, benches, barbecue area, picnic tables, bicycle parking, level turf play area, and native landscaping. In total, the 7.2 6.23 acres of common open space (excluding the park) would represent 42 44.3 percent of the net developable area of the site.~~

Although the Project would alter the site's existing visual character by introducing a complex of two- and three-story apartment buildings with associated on-site parking, the proposed development intensity and height of buildings would be compatible with adjacent residential development at the Willow Springs Apartments to the south as well as the recently constructed Village at Los Carneros residential development to the west. The Village at Los Carneros is a 465-unit development including two- to three-story townhomes and single-family houses. The combined Willow Springs I and II developments, which together comprise the Willow Springs Apartments, have a building footprint of 181,533 square feet, or 17.9 percent of their collective lot area (Goleta, Willow Springs II Final EIR, 2012). Common open space at these developments also totals 40.6 percent of their lot area. Similarly, the Project would have a building footprint of approximately ~~17.24.63~~ percent of the ~~entire net developable area of the~~ Heritage Ridge site and common open space covering ~~42 44.3~~ percent of the net developable area of the site. While the Willow Springs II development has a density of 18.22 dwelling units per acre, the Project would have a higher density of ~~25.2 23.6~~ units per acre. The proposed two- and three-story buildings, with peak heights of ~~27 feet and~~ 35 feet, also would be comparable to the two-story buildings at the Village at Los Carneros and Willow Springs Apartments surrounding the Project site that have a peak height of 28 feet, 3 inches. In addition, the proposed layout of apartment buildings surrounding a central open space area would mirror the arrangement of the neighboring apartment complex at Willow Springs II around a central open space.

~~Nevertheless Furthermore,~~ the massing and architectural style of the proposed apartment buildings would ~~substantially differ from~~ be similar to adjacent developments. ~~As shown in the simulations of the Project in Figures 4.1 5 through 4.1 7, the buildings would have a somewhat severe, rectangular appearance unlike the appearance of the units at the Willow Springs Apartments to the south. Relative to the individual buildings at the Willow Springs Apartments, the proposed buildings would have a larger size and a simpler rectangular form. Furthermore, the proposed flat roofs would contrast in shape and form with the pitched asphalt shingle roofs of the Willow Springs Apartments to the south. The Willow Springs I and II developments have a more residential appearance, while the design of Heritage Ridge units would have a visual character closer to that of an office or institutional building. However, the The exterior materials and finish of the proposed apartment buildings would match those of the neighboring apartments and townhomes. The proposed buildings would have stucco exteriors painted in two earth tones, wood rails, metal awnings, vinyl windows, and flat roofs. Similarly, the Willow Springs Apartments have plaster walls painted in earth tones, with wood trim, and pitched rooflines vinyl-clad windows.~~

As demonstrated by the photo simulations (Figures 4.1-5, 4.1-6, and 4.1-7), the maturation of proposed landscaping over five years of growth would incrementally reduce the Project's visual incompatibility with surrounding urban development. Although the Project would introduce approximately ~~6.0 8.0~~ acres of structural development and impervious surface to the ~~17.36 gross acre~~ Project site (~~34.6 percent of the site approximately 56.9 percent of the net developable area~~), the maturing landscaping would gradually soften the lines of the proposed buildings and obscure surface parking areas from offsite



viewpoints. The proposed landscape design is intended to blend with the existing Willow Springs Apartments to the south and the Village at Los Carneros to the west by using ~~a similar plant palettes and two-rail fence along Camino Vista.~~

Grading activities would reduce the grade differential from existing stockpile soils on the Project site. As described in Section 4.1.1, *Setting*, moderately steep slopes from stockpile soils occur along the perimeter of the archaeological area and the eastern, western, northern, and southwestern property lines. Existing elevations range from about 25 to 43 feet ASL. The Project would level out existing slopes outside the archaeological area for the construction of individual building pads, driveways. Finished grades would range from approximately 18 to ~~38~~ 40 feet ASL. Although grading activities would change the existing grade differential, this topography is artificial and results from stockpiling of soils from previous construction activity in the area. Therefore, the proposed topographic changes would not adversely affect the site's visual quality.

Utility infrastructure including electrical distribution lines, fiber optic lines, cable television lines, phone lines, gas lines, water lines, and sewer lines would be installed underground and would not affect the visual character of the site. However, components such as backflow preventers, transformers, water meter assemblies, gas meters, power meters, and cable TV pedestals would be installed aboveground. Mechanical equipment would be ground-mounted on concrete pads adjacent to the residential structures and would be screened with landscaping.

Based on the above analysis, ~~the massing and architectural style of the proposed apartments would not be compatible in terms of visual character with surrounding development. Therefore, impacts to visual character and compatibility with existing the surrounding neighborhoods land uses would be potentially less than significant.~~

**Mitigation Measures.** Mitigation is not required as impacts would be less than significant. ~~Mitigation measures AES-4(a) and AES-4(b) would be required to reduce potentially significant impacts from the Project's massing, height, and architectural style to ensure a visually integrated development consistent with adjacent development.~~

~~**AES-4(a) — Architectural Review.** The applicant must submit revised plans to the City of Goleta Design Review Board for review before applying for building permits. Plans must address compatibility of massing, heights and consistency with neighborhood character.~~

~~**Plan Requirements and Timing.** Before applying for building permits, the applicant must apply for design approval from the Design Review Board and submit plans wherein the massing, height, and architectural style of apartment buildings are consistent with neighborhood buildings and do not detract from existing neighborhood characteristics.~~

~~Pursuant to GMC § 2.08.150, the Design Review Board must determine whether the proposed buildings, structures, landscaping, and signs are appropriate and of good design in relation to other buildings, structures, landscaping and signs, on-site or in the immediately affected area. Plans also must specifically be evaluated for consistency with adopted regulations~~



~~pertaining to the aesthetics of development in the Visual and Historic Resources Element of the Goleta General Plan.~~

~~**Monitoring.** The Planning and Environmental Review Director, or designee, must conduct a final review of final plans, before the City issues grading permits. In the event that final plans are not in substantial conformance with the approved plans, the Planning and Environmental Review Director may refer the matter back to the full Design Review Board for a final determination.~~

~~**AES 4(b) — Height Limitations.** Finished floor elevations of each lot must be consistent with the finished floor elevation shown on the Preliminary Grading and Drainage Plan dated September 2014, based on the U.S. Coast and Geodetic Survey (USC&GS) Datum elevation 8.92' or equivalent. In addition, maximum building heights must not exceed 35 feet in height, and height must be measured from the established finished floor elevation as described above. The applicant must ensure that the Project complies with the grading limitations and height limitations as established with the approved entitlement plans.~~

~~**Plan Requirements and Timing.** At the time of grading plan review, the applicant must submit verification from a licensed surveyor/civil engineer demonstrating that the finished floor heights will be at the elevations shown on the entitlement plans. If a different datum is used, then the applicant must submit documentation demonstrating that the finished floor elevations are at equivalent heights.~~

~~**Monitoring.** The Planning and Environmental Review Director, or designee, must verify compliance before the City issues grading permits.~~

~~**Residual Impact.** Impacts would be less than significant without mitigation. Impacts would be less than significant with mitigation incorporated to ensure that the proposed buildings have compatible massing, architectural style, and height with adjacent development. In addition, the following Conditions of Approval are recommended regarding visual character related to utility infrastructure, trash/recycling enclosures, landscaping, graffiti, and trash generated by construction activities. With implementation of these conditions prior to issuance of applicable permits, the proposed structures and landscaping on the Project site would be more visually integrated and compatible with surrounding business park development.~~

- ~~• **Composite Utility Plan.** The applicant must submit a composite utility plan to be approved by the Director of Planning and Environmental Review, or designee. All external/roof mounted mechanical equipment (including HVAC condensers, switch boxes, etc.) must be included on all building plans and designing this equipment to be integrated into the structure and/or screened in its entirety from public view.~~
- ~~• **Screening of Utility Connections.** All new utility service connections and above-ground mounted equipment such as backflow devices, etc. must be screened from public view and/or painting in a soft earth tone color(s) (red is prohibited) so as to blend in with the Project. Screening may include a combination of landscaping~~





- ~~and/or fencing/walls. Utility transformers must be placed in underground vaults where they are completely screened from view, unless otherwise approved by the Planning and Environmental Review Director, or designee. All gas and electrical meters and/or painting meters must be concealed to match the building. All gas, electrical, backflow prevention devices and communications equipment must be concealed in an enclosed portion of the building, on top of the building, or within a screened utility area. All transformers and vaults must be installed within the right-of-way below grade unless otherwise approved by the Planning and Environmental Review Director, or designee, and then completely screening them from view.~~
- ~~● **Design of Trash/Recycling Enclosure.** The applicant must provide trash/recycling enclosures that are compatible with the architectural design of the Project, of adequate size for trash and recycling containers (at least 50 square feet), and accessible by residents and for removal. The trash/recycling areas must be enclosed with a solid wall of sufficient height to screen the area, with a solid gate and a roof, to be maintained in good repair in perpetuity and must be included on final Project plans and before the City issues a Land Use Permit for construction. The enclosures are required to be approved by the City Design Review Board (DRB).~~
  - ~~● **Landscaping.** Approximately 75 percent of landscaping on the Project site must consist of drought-tolerant native and/or Mediterranean type plants which adequately complement the Project design and integrate the site with surrounding land uses. Landscaping must be used to partially screen on-site parking areas and structures. Plant materials must be compatible with the Goleta climate pursuant to Sunset Western Garden Book's Zone 24 published by Sunset Books, Inc., Revised and Updated 2012 edition. Landscaping is required to be approved by the DRB.~~
  - ~~● **Landscape Installation and Maintenance Agreement.** The applicant must enter into a maintenance agreement, in a form approved by the City Attorney, with the applicant to maintain required landscaping and water-conserving irrigation systems on private property for an appropriate time period set by the City.~~
  - ~~● **Graffiti Removal.** The applicant must promptly remove any graffiti at the Project site. The applicant must execute a maintenance agreement approved as to form by the City Attorney, including at least a 5-year maintenance period.~~
  - ~~● **Trash Control.** The applicant must prevent construction and/or employee trash from blowing offsite by providing covered receptacles on-site before commencement of any grading or construction activities; picking up waste weekly or more frequently as directed by the Planning and Environmental Review Director, or designee; and designating and providing the Planning and Environmental Review Director, or designee, the name and phone number of a contact person(s) to monitor construction trash/waste and organize a clean-up crew. Additional covered receptacles must be provided as determined necessary by the Planning and Environmental Review Director, or designee.~~



**Impact AES-5 The Project would introduce on-site sources of lighting and glare to an open, undeveloped parcel that currently has none. Impacts would be Class II, significant but mitigable [Threshold 4].**

The proposed multi-family housing complex would introduce various sources of lighting and glare to the site. As stated in the Exterior Lighting Concepts for Heritage Ridge, all lighting would consist of light-emitting diodes (LEDs), unless LEDs are not available for any proposed applications. Pole-mounted light fixtures would be installed in proposed parking areas and the on-site neighborhood park; it is anticipated that these fixtures would be 12 to 14 feet in height. Bollard lighting fixtures about 42 inches in height would be installed on walkways, pathways, and other areas of pedestrian traffic. The light in bollards would be aimed downward and outward and colored to match surrounding benches and railings. On carports, trash enclosures, mailbox kiosks, and directory signs, downlighting would be added for security and usability. These lights would be hidden to the extent possible by the structures themselves. On the proposed buildings, a small number of decorative lights would be installed primarily for aesthetic purposes and would not cast substantial light; in addition, every building entrance would have structurally hidden light fixtures (either downlighting or full cut-off-style wall mounted fixtures) for security. Headlights on cars entering and leaving the Project site and parking on-site would produce glare. The Santa Barbara Airport is 0.5 miles from the project site and would not be affected by the proposed low intensity residential lighting.

Although a proposed masonry wall of approximately eight feet in height along the northern and western site boundaries would reduce the perception of light and glare effects on motorists traveling on U.S. 101 and South Los Carneros Road, the new sources of illumination could have adverse effects on the City's night sky unless properly shielded. Therefore, lighting impacts would be significant but mitigable.

**Mitigation Measures.** The following measure is required to address potential light and glare impacts.

**AES-5 Lighting Specifications.** Any exterior lighting installed on the Project site must be of low intensity, low glare design, and must be hooded to direct light downward onto the Project site and prevent spill-over onto adjacent parcels and must otherwise meet dark night sky requirements. Exterior lighting fixtures must be kept to the minimum number and intensity needed to ensure public safety. These lights must be dimmed after 11 p.m. to the maximum extent practical without compromising public safety as determined by the Planning and Environmental Review Director or designee. Upward directed exterior lighting is prohibited. Lighting fixtures must be appropriate for the architectural style of the structure and surrounding area. The final lighting plan must be amended to include identification of all types, sizes, and intensities of wall-mounted building lights and landscape accent lighting, and a photometric map must be provided. "Moonlighting" type fixtures that illuminate entire tree canopies should also be avoided.

**Plan Requirements and Timing:** The locations of all exterior lighting fixtures, complete cut-sheets of all exterior lighting fixtures, and a photometric plan prepared by a registered professional engineer showing the extent of all light and glare emitted by all exterior lighting fixtures must be reviewed and



approved by Design Review Board before the City issues a building permit for construction.

**Monitoring:** Before the City issues a certificate of occupancy, the Planning and Environmental Review Director, or designee, must inspect exterior lighting features to ensure that they have been installed consistent with approved plans.

**Residual Impact.** By minimizing the number of lighting fixtures and intensity of lighting on the Project site, shielding lights to reduce glare, dimming during nighttime hours where possible, and ensuring the compatibility of lighting with on-site and surrounding architecture, the implementation of Mitigation Measure AES-5 would reduce impacts to less than significant and there would be no residual impacts.

**c. Cumulative Impacts.** Cumulative development in the City of Goleta and the Goleta vicinity (Highway 154 to Gaviota) would add ~~1,511~~ 741 residential units and more than ~~1.8~~ 782,000 million square feet of commercial/retail space (refer to Tables 3-1 and 3-2 in Section 3.0, *Related Projects*) in and around Goleta. Additional development would be located on infill sites throughout the community, as well as large tracts of undeveloped open spaces along the area's urban perimeters. Although much of the new development would generally be of a type and intensity similar to existing urban uses, a perceptible transformation of the community through increased urbanization would be apparent. In particular, the intensity of land use would increase in the vicinity of the Project site. Projects in the vicinity of the site that ~~are either under construction or~~ have been recently completed include ~~the 118-room Marriott Residence Inn at 6300 Hollister Avenue, hotels and the various residential and business park developments under construction at the Cabrillo Business Park, the 138-room Hilton Garden Inn at 6878 Hollister Avenue, the 465-unit Villages at Los Carneros, and the recently completed Hollister Village Project at the northwest corner of Hollister and S. Glen Annie Road.~~

However, the cumulative aesthetic impact from the project would be less than significant given the existing built-up environment around the site. The Project would result in a visual extension of existing residential neighborhoods and commercial areas. The areas in which cumulative development would occur have been predominantly identified in the General Plan as appropriate areas for growth. The Heritage Ridge Residential Project is the last development project to be constructed in the Central Hollister Corridor. The other cumulative projects identified in the 2006 General Plan (Cortona Apartments, The Village at Los Carneros, and Willow Springs II) have all been developed in the last 8 years. The Heritage Ridge Residential Project would complete the residential neighborhood envisioned by the General Plan. Therefore, cumulative development would not pose a significant change to the overall visual character of the City. ~~Although, and the Project would have a significant but mitigable project-level impact on visual character, it would not have a considerable contribution to significant cumulative impacts.~~

Cumulative development on vacant and underutilized land in the Goleta area also could obstruct scenic views from U.S. 101, State Route 217, and public viewing areas within the City. However, implementation of policies to protect scenic views in the City's Visual and Historic Resources Element would reduce cumulative impacts to scenic views corridors and key viewpoints to a less-than-significant level. Therefore, ~~even though the Project would have a significant and unavoidable project-level impact on scenic northward views of the foothills and Santa Ynez Mountains, it would not have a significant contribution to cumulative impacts.~~



Furthermore, the Project's contribution to cumulative impacts related to the visual character of the site and the introduction of new sources of light and glare would not be cumulatively significant, as the infill Project's design and height would be compatible with surrounding development. Offsite spillover of lighting would be minimized with implementation of the lighting specifications in Mitigation Measure AES-5. Cumulative aesthetic impacts would be less than significant.



*This page intentionally left blank.*



## 4.2 AIR QUALITY

This section discusses the Project's potential impacts to regional and local air quality. Both temporary impacts related to construction and long-term impacts associated with the Project are discussed. Traffic projections used in emissions estimates are based on the *Updated Traffic and Circulation Study* dated March 2021 and the *VMT Calculations* dated April 2021 prepared by Associated Transportation Engineers (ATE). The traffic and circulation study and VMT calculations are included as Appendix I to this EIR. Air quality model results and calculations are based on calculations completed by Rincon Consultants and are included as Appendix B. The *Heritage Ridge Residential Project Health Risk Assessment* (HRA) prepared by Rincon Consultants dated January 2016, is included as Appendix C.

### 4.2.1 Setting

**a. Climate and Topography.** The City of Goleta is located within the South Central Coast Air Basin (SCCAB) which includes all of San Luis Obispo, Santa Barbara, and Ventura counties. The climate of the SCCAB is strongly influenced by its proximity to the Pacific Ocean and the location of the semi-permanent high-pressure cell in the northeastern Pacific. With a Mediterranean-type climate, the Project area is characterized by warm, dry summers and cool winters with occasional rainy periods. Annual precipitation averages 16 inches, with most rainfall between November and March. Average monthly temperatures range from a high of 79 degrees Fahrenheit (°F) in August to a low of 40°F in December.

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 months. The region is subject to a diurnal cycle in which daily onshore winds from the west and northwest are replaced by mild offshore breezes flowing from warm inland valleys during night and early morning hours. This alternating cycle can create a situation where suspended pollutants are swept offshore at night, and then carried back onshore the following day. Dispersion of pollutants is further degraded when the wind velocity for both day and nighttime breezes is low.

The region is also subject to seasonal Santa Ana winds, which are strong northerly to northeasterly winds that originate from high-pressure areas centered over the desert of the Great Basin. These winds are usually warm, dry, and often full of dust. They are particularly strong in the mountain passes and at the mouths of canyons.

Two types of temperature inversions (warmer air on top of cooler air) are created in the area: subsidence and radiational. The subsidence inversion is a regional effect created by the Pacific high in which air is heated as it is compressed when it flows from the high-pressure area to the low-pressure areas inland. This type of inversion generally forms at about 1,000 to 2,000 feet and can occur throughout the year, but it is most evident during the summer months. Surface inversions are formed by the more rapid cooling of air near the ground at night, especially during winter. This type of inversion is typically lower (0 to 500 feet at Vandenberg Air Force Base (AFB), for example) and is generally accompanied by stable air. Both types of inversions limit the dispersal of air pollutants within the regional airshed, with the more stable the air (low wind speeds, uniform temperatures), the lower the amount of pollutant dispersion.

**b. Local Regulatory Framework.** The federal and state governments have been empowered by the federal and state Clean Air Acts (42 United States Code § 7401 *et seq.* and California Health and





Safety Code § 40910, *et seq.*) to regulate emissions of airborne pollutants and have established ambient air quality standards for the protection of public health. The U.S. Environmental Protection Agency (USEPA) is the federal agency designated to administer federal air quality regulation, while the California Air Resources Board (CARB) is the state equivalent and operates under the auspices of the California Environmental Protection Agency (CalEPA). Local control in air quality management is provided by the CARB through county-level or regional (multi-county) air pollution control districts (APCDs). The CARB establishes statewide air quality standards and is responsible for control of mobile emission sources, while the local APCDs are responsible for enforcing standards and regulating stationary sources. The CARB has established 15 air basins statewide. Goleta is located in the SCCAB, in the portion that is within the jurisdiction of the Santa Barbara County Air Pollution Control District (SBCAPCD).

Federal and state standards have been established for six criteria pollutants, including ozone (O<sub>3</sub>), carbon monoxide (CO), nitrogen dioxide (NO<sub>2</sub>), sulfur dioxide (SO<sub>2</sub>), particulates less than 10 and 2.5 microns in diameter (PM<sub>10</sub> and PM<sub>2.5</sub>), and lead (Pb) (refer to Table 4.2-1). California air quality standards are identical to or stricter than federal standards for all criteria pollutants. Table 4.2-1 illustrates the current Federal and State Ambient Air Quality Standards.

**Table 4.2-1  
 Current Federal and State Ambient Air Quality Standards**

Pollutant	Federal Standard	California Standard
Ozone	0.070 ppm (8-hr avg)	0.070 ppm (8-hr avg) 0.09 ppm (1-hr avg)
Carbon Monoxide	9 ppm (8-hr avg) 35 ppm (1-hr avg)	9.0 ppm (8-hr avg) 20 ppm (1-hr avg)
Nitrogen Dioxide	0.100 ppm (1-hr avg) 0.053 ppm (annual avg)	0.18 ppm (1-hr avg) 0.030 ppm (annual avg)
Sulfur Dioxide	0.075 ppm (1-hr avg)	0.25 ppm (1-hr avg) 0.04 ppm (24-hr avg)
Lead	1.5 µg/m <sup>3</sup> (calendar quarter) 0.15 µg/m <sup>3</sup> (rolling 3-month avg)	1.5 µg/m <sup>3</sup> (30-day avg)
Particulate Matter (PM <sub>10</sub> )	150 µg/m <sup>3</sup> (24-hr avg)	50 µg/m <sup>3</sup> (24-hr avg) 20 µg/m <sup>3</sup> (annual avg)
Particulate Matter (PM <sub>2.5</sub> )	12.0 µg/m <sup>3</sup> (annual avg) 35 µg/m <sup>3</sup> (24-hr avg)	12 µg/m <sup>3</sup> (annual avg)

*ppm = parts per million*

*µg/m<sup>3</sup> = micrograms per cubic meter*

*avg = average*

Sources: California Air Resources Board, May 4, 2016. <https://ww2.arb.ca.gov/sites/default/files/2020-07/aags2.pdf>.

**c. Current Ambient Air Quality.** The SBCAPCD monitors air pollutant levels and develops strategies to ensure that air quality standards are met. Depending on whether or not the standards are met or exceeded, Santa Barbara County is classified as being in “attainment” or as “non-attainment.” Santa Barbara County is in non-attainment for the state standard for PM<sub>10</sub>. In addition, in February 2021, the CARB approved changing the O<sub>3</sub> designation status from attainment to non-attainment for the state standard. The change in designation is anticipated to be finalized by the California Office of Environmental Law in late 2021. The County is unclassified (meaning there is insufficient data to designate the area or designations have yet to be made) for the state PM<sub>2.5</sub> standard and the federal



lead standard. The County is in attainment (or unclassified/attainment) for all other standards (SBCAPCD 2021).

Non-attainment status within Santa Barbara County is a result of several factors, primarily the natural meteorological conditions that limit the dispersion and diffusion of pollutants (surface and subsidence inversions), the limited capacity of the local airshed to eliminate pollutants from the air, and the number, type, and density of emission sources within the air basin. The potential health effects of pollutants for which the County is in nonattainment are described below.

Suspended Particulates. PM<sub>10</sub> is small particulate matter measuring 10 microns or less in diameter. PM<sub>10</sub> is comprised mostly of dust particles, nitrates, and sulfates. PM<sub>10</sub> is a by-product of fuel combustion and wind erosion of soil and unpaved roads, and is directly emitted into the atmosphere through these processes. PM<sub>10</sub> is also created in the atmosphere through chemical reactions. Fine particulate matter poses a serious health threat to all groups, but particularly to the elderly, children, and those with respiratory problems. More than half of the fine particulate matter that is inhaled into the lungs remains there, which can cause permanent lung damage. These materials can damage health by interfering with the body's mechanisms for clearing the respiratory tract or by acting as carriers of an absorbed toxic substance.

An important fraction of the particulate matter emission inventory is that formed by diesel engine fuel combustion. Particulates in diesel emissions are very small and readily respirable. The particles have hundreds of chemicals adsorbed onto their surfaces, including many known or suspected mutagens or carcinogens. Diesel PM emissions are estimated to be responsible for about 70 percent of the total ambient air toxics risk. In addition to these general risks, diesel PM can also be responsible for elevated localized or near-source exposures ("hot spots"). Depending on the activity and proximity to receptors, these potential risks can be as high as 1,500 excess cancer cases per million (CARB, October 2000). Risk characterization scenarios have been conducted by the CARB staff to determine the potential excess cancer risks involved due to the location of individuals near to various sources of diesel engine emissions, ranging from school buses to high volume freeways.

Table 4.2-2 summarizes the annual air quality data for Goleta's local airshed, collected at the Goleta-Fairview station, located at 380 N. Fairview Avenue in Goleta. The data collected at this station is considered to be representative of the baseline air quality experienced in the City.

As shown in Table 4.2-2, between 2017 and ~~2019~~ 2020, the state one-hour ozone standard was exceeded once in 2017. The state PM<sub>10</sub> standard was exceeded 12 times in 2017, four times in 2018, ~~and~~ twice in 2019, and 10 times in 2020, and the federal PM<sub>10</sub> standard was exceeded once in 2017. Additionally, the federal PM<sub>2.5</sub> standard was exceeded nine times in 2017, ~~and~~ once in 2018, and seven times in 2020. The standards for ozone (8-hour), CO, and NO<sub>2</sub> have not been exceeded in the last ~~three~~ four years.



**Table 4.2-2  
 Ambient Air Quality Data**

<b>Pollutant</b>	2017	2018	2019	<u>2020<sup>2</sup></u>
Ozone, ppm - Worst Hour	0.100	0.077	0.072	<u>0.084</u>
Number of days of State exceedances (>0.09 ppm)	1	0	0	<u>0</u>
Ozone, ppm – Worst 8 Hours	0.068	0.056	0.062	<u>0.067</u>
Number of days of Federal/State exceedances (>0.070 ppm)	0	0	0	<u>0</u>
Carbon Monoxide, ppm - Worst 8 Hours <sup>1</sup>	1.9	0.9	*	*
Number of days of State/Federal exceedances (>9.0 ppm)	0	0	*	*
Nitrogen Dioxide, ppm - Worst Hour	0.035	0.029	0.027	*
Number of days of State exceedances (>0.18 ppm)	0	0	0	*
Particulate Matter <10 microns, µg/m <sup>3</sup> - Worst 24 Hours	189.0	72.5	63.3	<u>83</u>
Number of samples of State exceedances (>50 µg/m <sup>3</sup> )	12	4	2	<u>10</u>
Number of samples of Federal exceedances (>150 µg/m <sup>3</sup> )	1	0	0	<u>0</u>
Particulate Matter <2.5 microns, µg/m <sup>3</sup> - Worst 24 Hours	130.5	35.6	26.3	<u>61.2</u>
Number of days Federal exceedances (>35 µg/m <sup>3</sup> )	9	1	0	<u>7</u>

<sup>1</sup> CO data from the 380 North Fairview Avenue USEPA monitoring station in Goleta. Accessed February 2021. Retrieved from <https://www.epa.gov/outdoor-air-quality-data/monitor-values-report>.

<sup>2</sup> 2020 ambient air quality data from the 380 North Fairview Avenue USEPA monitoring station in Goleta. Accessed July 2021. Retrieved from <https://www.epa.gov/outdoor-air-quality-data/monitor-values-report> and <https://www.epa.gov/outdoor-air-quality-data/download-daily-data>.

\* There was no data available for the closest monitoring station.

ppm = parts per million; µg/m<sup>3</sup> = micrograms per cubic meter  
 Goleta-Fairview Station

Source: CARB Air Quality Data Statistics. Top four Summary. Accessed February 2021. Retrieved from: <http://www.arb.ca.gov/adam/topfour/topfour1.php>

**d. Air Quality Planning.** Under the California Clean Air Act, the SBCAPCD is required to prepare an overall plan for air quality improvement. The most recent iteration of SBCAPCD’s air quality management plan is the 2019 Ozone Plan, adopted in December 2019, which represents the ninth triennial update to the SBCAPCD Air Quality Attainment Plan. The 2019 Ozone Plan only addresses nonattainment with the state ozone standard, as SBCAPCD was designated in attainment with the federal ozone standard in December 2015. The 2019 Ozone Plan states that no violations in the state ozone standards have occurred in the County in the previous three years, and SBCAPCD is in the process of modifying its designation to “attainment.” In July 1, 2020, CARB officially designated the county as attainment for state ozone standards.

**e. Sensitive Receptors.** Ambient air quality standards have been established to represent the levels of air quality considered sufficient, with an adequate margin of safety, to protect public health and welfare. They are designed to protect that segment of the public most susceptible to respiratory distress, such as children under 14; the elderly over 65; persons engaged in strenuous work or exercise; and people with cardiovascular and chronic respiratory diseases. The majority of sensitive receptor locations are therefore residences, schools and hospitals.

The Project site vicinity is primarily occupied by residential and light industrial development. Sensitive receptors near the Project site include residential uses (Willow Springs I and II) to the south of the project site across Camino Vista. Also, beyond S. Los Carneros Road to the west is a recently-constructed residential development.



## 4.2.2 Impact Analysis

**a. Methodology and Significance Thresholds.** The air quality analysis is based on CalEEMod outputs included in Appendix B. The City has not established thresholds of its own, and instead uses the significance thresholds recommended by Santa Barbara County (County of Santa Barbara Planning and Development, January 2021) as guidance for the analysis of air quality impacts, as described below. The City's adopted thresholds are provided in its Environmental Thresholds and Guidelines Manual (2002).

Significance Thresholds. According to the *Environmental Thresholds and Guidelines Manual* (County of Santa Barbara Planning and Development, January 2021), a significant adverse air quality impact may occur when a project, individually or cumulatively:

- *Interferes with progress toward the attainment of the ozone standard by releasing emissions which equal or exceed the established long-term quantitative thresholds for NO<sub>x</sub> and ROC; or*
- *Equals or exceeds the state or federal ambient air quality standards for any criteria pollutant (as determined by modeling).*
- *Results in toxic or hazardous pollutants in amounts which may increase cancer risks for the affected population.*
- *Causes an odor nuisance problem impacting a considerable number of people*

The City's Environmental Thresholds and Guidelines Manual (2002) is consistent with the first two bullet points provided above regarding air quality impacts.

Cumulative air quality impacts and consistency with the 2019 Ozone Plan should be determined for all projects (i.e., whether Project-generated emissions exceed the 2019 Ozone Plan emission projections or growth assumptions).

Based on Appendix G of the *CEQA Guidelines*, a significant impact related to air quality could occur if the Project would:

1. *Conflict with or obstruct implementation of the applicable air quality plan.*
2. *Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard.*
3. *Expose sensitive receptors to substantial pollutant concentrations.*
4. *Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.*

Impacts associated with other emissions are discussed in Section 4.17, *Effects Found Not to be Significant*.

The following significance thresholds have been recommended by the SBCAPCD (SBCAPCD 2015). While the City of Goleta has not yet adopted any new threshold criteria, these SBCAPCD thresholds are considered appropriate for use as a guideline for the impact analysis. Per the *Environmental Review Guidelines for the Santa Barbara County Air Pollution Control District* (April 2015), a proposed project will not have a significant air quality effect on the environment, if operation of the project will:



- *emit (from all project sources, mobile and stationary) less than the daily trigger for offsets set in the APCD New Source Review Rule for any pollutant; and*
- *emit less than 25 pounds per day of oxides of nitrogen (NO<sub>x</sub>) or reactive organic compounds (ROC) from motor vehicle trips only; and*
- *not cause or contribute to a violation of any California or National Ambient Air Quality Standard (except ozone); and*
- *not exceed the APCD health risk public notification thresholds adopted by the APCD Board; and*
- *be consistent with the adopted federal and state Air Quality Plans.*

2019 Ozone Plan Consistency. Analysis of consistency with land use and population forecasts in local and regional plans, including the 2019 Ozone Plan, is required in the County's Environmental Thresholds Manual for all projects. In order to be consistent with the 2019 Ozone Plan, all projects involving earthmoving activities must implement SBCAPCD's standard dust control measures (SBCAPCD, June 2017). By definition, consistency with the 2019 Ozone Plan means that direct and indirect emissions associated with the Project are accounted for in the 2019 Ozone Plan's emissions growth assumptions and the Project is consistent with policies adopted in the 2019 Ozone Plan (SBCAPCD, April 2021). The 2019 Ozone Plan relies primarily on the land use and population projections provided by the Santa Barbara County Association of Governments (SBCAG) and the CARB on-road emissions forecast as a basis for vehicle emission forecasting. The 2019 Ozone Plan utilized data from the California Department of Finance, which is similar to the SBCAG Regional Growth Forecast 2050, to project population growth and associated air pollutant emissions for all of the Santa Barbara County incorporated and unincorporated areas.

Residential projects that involve population growth in an individual jurisdiction or sub-region of Santa Barbara County that would exceed the amount forecasted for that jurisdiction or sub-region would be considered inconsistent with the 2019 Ozone Plan (SBCAPCD, April 2021).

Construction Emissions Thresholds. The SBCAPCD has not adopted quantitative thresholds of significance for construction emissions since such emissions are temporary. However, according to the SBCAPCD's *Scope and Content of Air Quality Sections in Environmental Documents* (SBCAPCD, June 2017), construction-related NO<sub>x</sub>, ROC, PM<sub>10</sub>, and PM<sub>2.5</sub> emissions from diesel and gasoline powered equipment, paving, and other activities, should be quantified in the interest of public disclosure. SBCAPCD uses 25 tons per year for NO<sub>x</sub>, ROC, PM<sub>10</sub>, and PM<sub>2.5</sub> as a guideline for determining the significance of construction impacts, based on Rule 202 D.16. In addition, standard dust control measures must be implemented for any discretionary project involving earth-moving activities, regardless of size or duration. According to the SBCAPCD, proper implementation of these required measures reduces fugitive dust emissions to a level that is less than significant (SBCAPCD, June 2017). Therefore, all construction activity would be required to incorporate the SBCAPCD requirements pertaining to minimizing construction-related fugitive dust emissions.

The City does not specify quantitative thresholds of significance for short-term construction emissions because such emissions have already been accounted for in its air quality management plan. However, because the region does not meet the state standard for PM<sub>10</sub>, the City of Goleta requires implementation of standard emission and dust control techniques for all construction, as outlined in the



General Plan/Community Land Use Planning Policy (GP/CLUP) Policy CE 12.3 and listed as mitigation measures in the GP/CLUP FEIR (Air Quality), to ensure that these emissions remain less than significant (City of Goleta, 2021).

Operational Emissions Thresholds. Appendix G of the CEQA Guidelines indicates that where available, the significance criteria established by the applicable air quality management district or APCD may be relied upon to determine whether the Project would have a significant impact on air quality. As described in the SBCAPCD *Scope and Content of Air Quality Sections in Environmental Documents* (SBCAPCD, June 2017), a project may have a significant air quality effect on the environment if operation of it would:

- *Emit (from all sources, both stationary and mobile) more than 240 pounds per day for ROC or NO<sub>x</sub>, or more than 80 pounds per day for PM<sub>10</sub>.*
- *Emit more than 25 pounds per day of NO<sub>x</sub> or ROC from motor vehicle trips only.*
- *Cause or contribute to a violation of any California or National Ambient Air Quality Standard (except ozone).*
- *Exceed the SBCAPCD health risk public notification thresholds adopted by the SBCAPCD Board (10 excess cancer cases in a million for cancer risk and a Hazard Index of more than 1.0 for chronic or acute non-cancer risk).*
- *Be inconsistent with the latest adopted federal and state air quality plans for Santa Barbara County.*

The SBCAPCD does not have a daily operational threshold for CO because the County is in attainment for this pollutant. However, the County has established criteria for triggering air quality impact modeling for CO based on the County's adopted guidance. According to the *Environmental Thresholds and Guidelines Manual*, "a project will have a significant air quality impact if it causes, by adding to the existing background CO levels, a CO 'hot spot' where the California one-hour standard of 20 parts per million carbon monoxide is exceeded" (County of Santa Barbara Planning and Development, 2021). Typically, high CO concentrations are associated with roadways or intersections operating at an unacceptable level of service (LOS) and projects contributing to adverse traffic impacts may result in the formation of CO hotspots. The screening criteria for CO impacts are as follows:

- *If a project contributes less than 800 peak hour trips, then CO modeling is not required, and*
- *Projects contributing more than 800 trips to an existing congested intersection at LOS D or below, or will cause an intersection to reach LOS D or below, may be required to model for CO impacts. However, projects that will incorporate intersection modifications to ease traffic congestion are not required to perform modeling to determine potential CO impacts.*

Construction Emissions Methodology. The California Emissions Estimator Model (CalEEMod version 2016.3.2) was used to estimate air pollutant emissions associated with Project construction. Construction activities associated with this development would result in temporary air quality impacts that may vary substantially from day to day, depending on the level of activity, the specific type of operation, and, for dust, the prevailing weather conditions. Per applicant-provided information, vehicle trips on unpaved roads would be limited to speeds no greater than 10 miles per hour. Exhaust from internal combustion engines used by construction equipment and hauling trucks (dump trucks), vendor trucks (delivery trucks), and worker vehicles would result in emissions of NO<sub>x</sub>, ROC, CO, SO<sub>x</sub>, PM<sub>10</sub>, and



PM<sub>2.5</sub>. The application of architectural coatings, such as exterior/interior paint and other finishes, would also produce ROC emissions; however, the contractor is required to procure architectural coatings from a supplier in compliance with the requirements of SBCAPCD's Rule 323.1 (Architectural Coatings). Paving of the parking lot and other surfaces would similarly produce ROC emissions, but would be required to comply with Rule 329 (Cutback and Emulsified Asphalt Paving Materials), which restricts the percent by volume of ROCs in asphalt material.

The Project includes developing 332 residential units in 10 buildings, parking areas, and recreational facilities, including a community park. Construction of the Project is expected to occur over 36 months. Estimated preliminary Project grading would include approximately 178,000-cubic yards of cut and 15,500-cubic yards of fill with approximately ~~115,000~~92,000-cubic yards of export material, as described in Section 2.3.3 of Section 2.0, *Project Description*.

Two scenarios were modeled to estimate the pre-construction emissions that would result from exporting 115,000 cubic yards of soil from the site, as was proposed for the Project evaluated in the original and revised Draft EIRs. Scenario 1 ~~assumes~~assumed that the existing stockpiled material would be removed using 9-cubic yard (CY) trucks, which would require a total of 12,778 round-trip haul truck trips. Scenario 2 ~~assumes~~assumed that 20-CY trucks would be used to haul the material, resulting in approximately 5,750 round-trip haul truck trips. After public circulation of the Revised Draft EIR in May 2021, the soil export estimate was updated to 92,000 cubic yards, which would result in fewer round-trip haul truck trips than what was modeled for both scenarios. Therefore, the estimates of pre-construction emissions included in this section are greater than, and thus, more conservative than the actual pre-construction emissions for the Project.

Operational Emissions Methodology. CalEEMod was used to estimate air pollutant emissions from mobile, energy, and area sources associated with the Project. CalEEMod default data, including meteorological data, trip characteristics, emission factors, and trip distances, were used for the model inputs, with the exception of weekday vehicle trips and trip distances. Emissions for the 104-unit senior and family affordable housing development and the 228-unit market-rate housing development were based on CalEEMod defaults for low-rise apartments and mid-rise apartments<sup>1</sup>, and emissions for a two-acre public neighborhood park were estimated using model default values for a city park. The estimate of vehicle trips and trip distances for weekday trips associated with the Project is from the *Updated Traffic and Circulation Study* dated March 2021 and the *VMT Calculations* dated April 2021 prepared by Associated Transportation Engineers (Appendix I; also refer to Section 4.13, *Transportation/Circulation*). Emission factors representing the vehicle mix and emissions for the year 2025, when the Project would be in its first year of operation, were used to estimate emissions. CalEEMod was also used to estimate emissions from the Project's area and energy sources, which include natural gas combustion for space and water heating, gasoline-powered landscape maintenance equipment, consumer products, and architectural coatings for building maintenance.

Health Risk Assessment Methodology. CARB has identified diesel particulate matter as the primary airborne carcinogen in the state (CARB, n.d.). The main sources of diesel particulate matter are

---

<sup>1</sup> To input different trip generation values for the senior and family affordable housing and market-rate housing, those land uses were inputted separately in CalEEMod as low-rise apartments and mid-rise apartments, based on the proposed number of stories in each building, which ranges from 2 to 3 stories for both the proposed affordable and market-rate housing. Low-rise apartments are characterized as one or two levels, and mid-rise apartments are characterized as more than two levels and less than nine levels. It should be noted that the majority of the default values are the same for the low-rise and mid-rise apartments.





exhaust from heavy-duty trucks on the interstate freeway system and diesel-powered locomotives. Due to the potential for exposure of sensitive receptors to diesel particulate matter and other toxic air contaminants, CARB's *Air Quality and Land Use Handbook: A Community Health Perspective* (June 2005) recommends avoiding siting new sensitive land uses, such as residences, schools, daycare centers, playgrounds, or medical facilities, within 500 feet of a freeway, urban roads with 100,000 vehicles/day, or rural roads with 50,000 vehicles/day. Based on CARB's findings, the Santa Barbara County APCD also recommends that land use policies should prohibit the construction of new residences, schools, day care centers, playgrounds, and medical facilities within 500 feet of U.S. 101 (SBCAPCD, 2014). The highway segment adjacent to the Project site has 65,800 vehicles per day (Caltrans, 2014).

The CARB Handbook found that, based on traffic-related studies, additional non-cancer health risks attributable to proximity to freeways occurs within 1,000 feet and is strongest within 300 feet. California freeway studies show about a 70 percent drop-off in particulate pollution levels at 500 feet (CARB, 2005).

The Project site is located along the south side of U.S. 101 and the Union Pacific Railroad (UPRR). Residences on-site would be located as close as approximately 50 feet from the UPRR railroad tracks and 250 feet south of the closest U.S 101 lane. In addition, nearby businesses may emit additional hazardous air pollutants. These emissions are not expected to individually cause a risk; however, these emissions could add to the cumulative risk to on-site residents in the proposed residential units when considered in combination with the TACs associated with the freeway and railroad operations.

Rincon Consultants, Inc. prepared an HRA for the Project in January 2016. The HRA used the USEPA AERMOD dispersion model and the CARB Hotspots Analysis and Reporting Program (HARP) risk analysis tool. It is based on the Project site plans that had been prepared at that time. Note that the HRA prepared in 2016 was not updated since the values computed are conservative and any refinement to the model would not increase risk and hazards. Also, an update is not necessary since no aspect of the project requires permitting from SBCAPCD. Furthermore, an operational HRA for the project's on-site sensitive receptors is not required under CEQA pursuant to the judicial decisions in *California Building Industry Association v. Bay Area Air Quality Management District* (2015) Cal.4<sup>th</sup> (Case No. S213478). The analysis was prepared for informational purposes. A copy of the 2016 HRA is included in Appendix C.

Cancer risk is expressed as the maximum number of new cases of cancer projected to occur in a population of one million people due to exposure to the cancer-causing substance, typically over a specific exposure duration, such as the average residency (50-percentile) of 9 years or the high-end residency (95-percentile) of 30 years. For example, a cancer risk of one in one million means that in a population of one million people, not more than one additional person would be expected to develop cancer as a result of exposure to the substance causing that risk.

#### **b. Project Impacts and Mitigation Measures.**

**Impact AQ-1    The Project would be consistent with the SBCAPCD 2019 Ozone Plan because it would not generate population in excess of that used in the 2019 Ozone Plan to forecast population-related emissions. This impact would be Class III, less than significant [Threshold 1].**

Consistency with the applicable 2019 Ozone Plan is required under CEQA for all projects within the County. In order for a project to be found consistent with the 2019 Ozone Plan, the Project's direct and



indirect emissions must be accounted for in the land use and population growth assumptions of the 2019 Ozone Plan (SBCAPCD, 2021). In addition, all projects involving earthmoving activities must implement SBCAPCD’s standard dust control measures.

The 2019 Ozone Plan is based on countywide population data provided by the California Department of Finance. The 2019 Ozone Plan also states that its growth projections are similar to that of the 2019 Santa Barbara County Association of Governments (SBCAG) Regional Growth Forecast 2050, in which assumptions about future land development patterns were used to generate future housing forecasts for Santa Barbara County (SBCAG, 2019). These growth projections for Goleta are shown in Table 4.2-3.

**Table 4.2-3  
 SBCAG Population and Housing Projections for Goleta**

Year	Population Forecast	Households <sup>1</sup>
2017	31,900	11,411
2020	32,200	11,500
<u>2030</u>	<u>33,100</u>	<u>12,200</u>
2035	33,700	12,600
2040	34,300	13,100

Source: SBCAG Regional Growth Forecast, January 2019.

<sup>1</sup> Sub-regional Household forecast is calculated by dividing population growth by census 2010 household size.

The Project involves developing 332 residential rental units, which would include 104 senior and family affordable units and 228 market-rate apartment units. The current population of Goleta is 32,223 (DOF, 2020). The population for the market-rate housing was determined based on the latest persons-per-household figure from the Department of Finance (2.72 persons per dwelling unit), the population for the family affordable housing was determined based on Housing Authority of the County of Santa Barbara data (2.58 persons per dwelling unit), and the population for the senior affordable housing was determined based on the Heritage Ridge Occupant/Unit Ratio Analysis study conducted by The Towbes Group, Inc. (2014) (1.36 persons per senior dwelling unit). Development of the Project would add an estimated 839 residents ([228 dwelling units x 2.72 people/dwelling unit] + [63 dwelling units x 2.58 people/dwelling unit] + [41 dwelling units x 1.36 people/dwelling unit]), thus increasing the City’s population to 33,062. SBCAG’s 2050 growth forecast projects Goleta’s population to be approximately 33,100 in 2030, 33,700 in 2035, and 34,300 in 2040 (SBCAG, 2019). The Project would result in a population of 33,062 in the City (current 32,223 City population plus 839 project residents). This would not exceed SBCAG’s 2030, 2035, or 2040 growth forecast for the City. The Project is not expected to be fully operational and occupied until ~~after 2024~~ 2025 or later. Consequently, the Project was compared to the 2030, 2035, and 2040 forecasts. Population generated by the Project would not cause an exceedance of SBCAG’s 2030 growth forecast of 33,100, 2035 growth forecast of 33,700, or the 2040 growth forecast of 34,300 for the City of Goleta (SBCAG, 2019). Development of the Project would therefore be consistent with the population forecasts contained in the ~~2013 CAP~~ 2019 Ozone Plan.

The Project would provide both affordable and market-rate housing, as well as an on-site passive recreational park. The provision of housing along with the Project site’s location near several employment centers in the City, are consistent with efforts by the 2019 Ozone Plan to implement transportation performance standards that will provide a substantial reduction in the rate of increase in passenger vehicle trips and vehicle miles traveled (VMT). A reduction in County-wide VMT is identified



by the 2019 Ozone Plan as a major component of an overall strategy to reduce mobile emissions of ozone precursor pollutants (NO<sub>x</sub> and ROC). As indicated under Impact AQ-2 (Table 4.2-4, *Estimated Operational Emissions of the Project*), mobile and total emissions from the Project would be less than the ROC and NO<sub>x</sub> thresholds of significance adopted by the SBCAPCD. In addition, the Project would include new sidewalk segments that would enhance pedestrian circulation in the Project area, which is a transportation control measure in the 2019 Ozone Plan. Therefore, the Project would be consistent with planning efforts to reduce County-wide VMT, and Project-related emissions would not substantially interfere with the SBCAPCD's efforts to maintain attainment of the state one-hour ozone standard. In addition, as discussed in Impact AQ-3, the Project would be required to implement SBCAPCD's standard dust control measures. As a result, the Project would not conflict with or obstruct implementation of the 2019 Ozone Plan. Therefore, impacts from the Project related to 2019 Ozone Plan consistency would not be significant.

**Mitigation Measures.** Mitigation not required because this impact would be less than significant.

**Residual Impact.** Impacts would be less than significant without mitigation.

**Impact AQ-2** **The Project would result in operational air pollutant emissions from area sources, natural gas use, and increased vehicular traffic. However, the increase in emissions would not exceed thresholds established by SBCAPCD. This impact would be Class III, less than significant [Threshold 2].**

**Regional Air Quality.** Long-term regional emissions are generated by area, energy, and mobile sources. Area emissions are generated by the use of architectural coatings, consumer products, and landscaping maintenance equipment. Energy emissions include emissions from the use of natural gas. Mobile emissions include those produced by vehicular traffic generated by residents of the senior and family affordable housing and market-rate housing.

Table 4.2-4 summarizes the maximum daily operational emissions resulting from the Project. All details of the emission calculations are provided in Appendix B.



**Table 4.2-4  
 Estimated Operational Emissions of the Project**

Source	Maximum Emissions (lbs/day)				
	ROC	NO <sub>x</sub>	CO	PM <sub>10</sub>	PM <sub>2.5</sub>
Area Emissions	9	<1	27	<1	<1
Energy Emissions	<1	1	<1	<1	<1
Mobile Emissions	3	12	33	10	3
<b>Combined Total Emissions</b>	12	13	61	10	3
<i>Mobile Emissions Threshold</i>	25	25	—	N/A	—
Threshold Exceeded?	No	No		N/A	
<i>Area + Mobile Emissions Threshold</i>	240	240		80	
Threshold Exceeded?	No	No		No	

Source: Appendix B.

Emissions are based on incorporation of the proposed sustainable project design features.

Note: Emission totals shown may not sum exactly as a result of rounding.

As shown in Table 4.2-4, the Project would not generate vehicular emissions that would exceed the SBCAPCD mobile significance thresholds for ROC or NO<sub>x</sub> of 25 pounds per day. Additionally, the Project’s combined area and vehicle emissions would not exceed the SBCAPCD significance thresholds of 240 pounds per day for ROC and NO<sub>x</sub> or the SBCAPCD significance threshold of 80 pounds per day for PM<sub>10</sub>. This impact would be less than significant.

**CO Hotspots.** Based on the Project’s *Updated Traffic and Circulation Study*, the project is forecast to generate 196 AM peak hour trips, and 196 PM peak hour trips (ATE, 2021). Because the Project would not contribute more than 800 trips to an existing congested intersection at LOS D or below, a quantitative CO hot spot impact analysis is not warranted, and impacts related to microscale CO concentrations would be less than significant. Furthermore, because of continued improvement in vehicular emissions at a rate faster than the rate of vehicle growth and/or congestion and very low background concentrations relative to the state and federal standards, the potential for CO hot spots in the SCCAB is steadily decreasing. According to the SBCAPCD, localized CO impacts associated with congested intersections are not expected to exceed the CO health-related air quality standards due to the relatively low background ambient CO levels in the County (SBCAPCD 2014). This impact would be less than significant.

**Mitigation Measures.** Mitigation would not be required because Project emissions would not exceed applicable SBCAPCD thresholds.

**Residual Impact.** Impacts would be less than significant without mitigation.

**Impact AQ-3** Project construction would generate temporary air pollutant emissions. Such emissions may result in temporary adverse impacts to local air quality, but are below SBCAPCD guideline thresholds for construction emissions. Additionally, standard dust and emissions control measures are required by the SBCAPCD. This impact would be Class III, less than significant [Threshold 2].



The Project involves the development of 332 residential units, parking areas, two recreational buildings, and a two-acre public park on the 17.36-acre Project site. Construction of the Project is expected to occur over approximately 36 months. Ozone precursors NO<sub>x</sub> and ROC, as well as CO and diesel exhaust PM, would be emitted by the operation of construction equipment such as graders, backhoes, and generators, while fugitive dust (PM<sub>10</sub>) would be emitted by activities that disturb the soil, such as grading and excavation, road construction and building construction. As discussed above, the Project would include pre-construction export of stockpiled soil currently on the site (stockpiled in two locations) prior to building construction. The pre-construction soil export would proceed according to one of two potential scenarios – one based on smaller (9 CY) haul trucks and another based on larger (20 CY) haul trucks. Table 4.2-5 summarizes estimated annual pre-construction emissions associated with Scenario 1, which includes 25,556 one-way haul truck trips, worker trips, and operation of on-site equipment as well as Scenario 2, which includes 11,500 one-way haul truck trips, worker trips, and operation of on-site equipment. The updated soil export amount of 92,000 cubic yards would result in fewer haul truck trips than what was modeled for both scenarios. Therefore, the estimates of pre-construction emissions in Table 4.2-5 are greater than, and thus, more conservative than the actual pre-construction emissions for the Project.

**Table 4.2-5  
 Estimated Pre-Construction Air Pollutant Emissions**

ROC (tons/year)	NO <sub>x</sub> (tons/year)	CO (tons/year)	PM <sub>10</sub> (tons/year)	PM <sub>2.5</sub> (tons/year)
<b>Scenario 1: 9-Cubic Yard Trucks</b>				
<1	3	1	<1	<1
<b>Scenario 2: 20-Cubic Yard Trucks</b>				
<1	2	1	<1	<1

*Source: see Appendix B for CalEEMod outputs*

As shown in Table 4.2-5, Scenario 1 would result in higher emissions of ozone precursor NO<sub>x</sub>, with all other emissions of ROC, CO, PM<sub>10</sub>, and PM<sub>2.5</sub> similar to those of Scenario 2.

In addition to emissions generated by pre-construction export of stockpiled soil, annual emissions associated with the Project construction was assumed to occur over approximately 3 years. The building construction phase, which would occur over approximately two years, would be the phase with the highest emissions of NO<sub>x</sub>, CO, PM<sub>10</sub>, and PM<sub>2.5</sub>. The architectural coating phase, which is assumed to occur over the last 12 months of building construction, would result in the highest emissions of ROC.

Table 4.2-6 presents estimated annual construction emissions over the 3-year construction period.



**Table 4.2-6  
 Estimated Construction Air Pollutant Emissions**

Construction Year	Emissions (tons/year)				
	ROG	NO <sub>x</sub>	CO	PM <sub>10</sub>	PM <sub>2.5</sub>
2021	<1	2	1	1	<1
2022	1	5	5	1	<1
2023	1	4	4	1	<1
2024	1	2	3	<1	<1
<b>Worst-Year Annual Total</b>	<b>1</b>	<b>5</b>	<b>5</b>	<b>1</b>	<b>&lt;1</b>

*Notes: All calculations were made using CalEEMod. See Appendix B for calculations. Site Preparation, Grading, Paving, Building Construction and Architectural Coating totals include worker trips, construction vehicle emissions and fugitive dust. Source: Appendix B*

Maximum potential annual construction emissions, which assume that the pre-construction export activity would overlap with the most intensive year of activity during the Project construction phase (as shown in Table 4.2-6, above), are presented in Table 4.2-7. To provide a conservative estimate of the potential maximum annual emissions associated with the pre-construction soil export, the scenario with the highest potential annual emissions of each pollutant, as shown in Table 4.2-5, is included in the combined Project construction emissions in Table 4.2-7.

**Table 4.2-7  
 Estimated Annual Emissions from Combined  
 Project Construction and Pre-Construction Export**

Year	ROC (tons/year)	NO <sub>x</sub> (tons/year)	CO (tons/year)	PM <sub>10</sub> (tons/year)	PM <sub>2.5</sub> (tons/year)
Maximum Annual Pre-Construction Export Emissions (based on Table 4.2-5)	<1	3	1	<1	<1
Maximum Annual Construction Emissions	1	5	5	1	<1
<b>Maximum Annual Total</b>	<b>1</b>	<b>8</b>	<b>6</b>	<b>1</b>	<b>&lt;1</b>
SBCAPCD Threshold	25	25	—	—	—
<b>Threshold Exceeded?</b>	<b>No</b>	<b>No</b>			

*Notes: All calculations were made using CalEEMod. See Appendix B for calculations. Site Preparation, Grading, Paving, Building Construction and Architectural Coating totals include worker trips, construction vehicle emissions and fugitive dust. Source: Appendix B  
 Note: Emission totals shown may not sum exactly as a result of rounding.*

As shown in Table 4.2-7, the maximum potential annual construction emissions associated with the Project would not exceed the SBCAPCD’s general rule of 25 tons per year of ROG or NO<sub>x</sub> used for determining significance of construction exhaust emissions (Appendix B). Therefore, impacts to air quality during pre-construction export and construction activities would not violate any air quality standards or contribute substantially to existing or projected air quality violations.



The Project site is located in Santa Barbara County and the Santa Barbara County portion of the SCCAB is a nonattainment area for the state PM<sub>10</sub> standard. Therefore, the SBCAPCD requires construction emissions and dust control measures for all projects involving earthmoving activities regardless of size or duration. In accordance with standard practices, such construction emissions control measures would be shown on grading and building plans and as a note on a separate information sheet to be recorded with map. According to the SBCAPCD's *Scope and Content of Air Quality Sections in Environmental Documents* (June 2017), implementation of required dust control measures results in fugitive dust emissions that are less than significant. The specific measures that would apply to the project in accordance with standard SBCAPCD requirements include the following (SBCAPCD, June 2017):

- *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 SBCAPCD prior to grading/building permit issuance and/or map clearance.*

With implementation of SBCAPCD construction and dust control measures, this impact would be less than significant.

**Mitigation Measures.** Mitigation would not be required because this impact would be less than significant.

**Residual Impact.** Impacts would be less than significant without mitigation.

**Impact AQ-4** **New sensitive receptors on the Project site would be exposed to hazardous air pollutants at levels that may cause health risks. With implementation the conditions of approval, which require forced air ventilation with filter screens on outside air intake ducts, the proposed residences closest to U.S. 101 and the Union Pacific Railroad would not be exposed to hazardous air pollutants that exceed**





**significance thresholds. This impact would be Class III, less than significant but mitigable [Threshold 4].**

The California Supreme Court in a December 2015 opinion (California Building Industry Assn. v. Bay Area Air Quality Management District) confirmed that CEQA is concerned with the impacts of a project on the environment, not the effects the existing environment may have on a project. Nevertheless, health risk at the proposed on-site residences are presented below for informational purposes and do not constitute a significant impact pursuant to CEQA.

The conclusions of the 2016 HRA are summarized in Table 4.2-8.

**Table 4.2-8  
 Potential Health Risks at the MEIR Receptors without Reduction Measures**

	Excess Cancer Risk <sup>1</sup>	Exceed Criterion? (10 <sup>-5</sup> )	OEHHA Chronic Hazard Quotient <sup>2</sup>	Exceed Criterion? (>1)
<b>Residential 1</b>				
9-year Resident				
Adult	1.54E-05	YES	6.41E-02	NO
Child	2.27E-05	YES	--	--
30-year Adult	5.12E-05	YES	6.41E-02	NO
<b>Residential 2</b>				
9-year Resident				
Adult	1.47E-05	YES	6.10E-02	NO
Child	2.17E-05	YES	--	--
30-year Adult	4.90E-05	YES	6.10E-02	NO
<b>Residential 3</b>				
9-year Resident				
Adult	1.77E-05	YES	7.06E-02	NO
Child	2.61E-05	YES	--	--
30-year Adult	5.89E-05	YES	7.06E-02	NO
<b>Residential 4</b>				
9-year Resident				
Adult	1.25E-05	YES	5.00E-02	NO
Child	1.85E-05	YES	--	--
30-year Adult	4.17E-05	YES	5.00E-02	NO

See appendix for complete model results.

*1: After public circulation of the Revised Draft EIR in May 2021, the project design was revised and Buildings 8 and 9 shifted southwards by approximately 5 feet and 2 feet, respectively, further way from the UPRR railroad and U.S. 101. The small shift in distance of residents from the pollutant sources would result in a negligible reduction of the health risk modeling results.*

*2: Note that chronic risk does not change with increase in years as calculation terms cancel out.*

The HRA determined that, without measures to reduce air quality pollutants, the proposed residential units on the Project site would be exposed to a high end (95-percentile) 30-year excess cancer risk of between 42 and 59 in one million, which exceeds the SBCAPCD recommended health risk criteria of ten excess cases of cancer in one million individuals (1.0E-05) (SBCAPCD, August 2015). Thirty years is the exposure duration scenario recommended by the SBCAPCD in the *Modeling Guidelines for Health Risk Assessments* (August 2015). The health effects risk level for the average (50-percentile) residency of 9 years for an adult would be between 12 and 18 in one million, and for that of a child (9-years) would be between 18 and 26 in one million. Both of which also exceed the SBCAPCD health risk criteria. To



provide context for this level of additional risk, the American Cancer Society (2007) reports that in the U.S., men have a one in two chance (0.5 probability) and women about one in three chance (0.3) probability of developing cancer during a lifetime, with nearly one in four deaths (0.23) in the U.S. attributed to cancer.

Diesel exhaust particulates were found to be responsible for about 98% of the calculated cancer risk on-site. The HRA concluded that, because without air quality pollutant reduction measures, the carcinogenic health risk for lifetime residency exceeds the SBCAPCD-recommended health risk criteria for a high-end (95-percentile) 30-year residency and average (50-percentile) nine-year residency of ten excess cases of cancer in one million individuals (1.0E-05); ~~the potential effect of exposure to freeway air pollutants for the Project would be potentially significant.~~

The HRA also showed that residences on-site would be exposed to chemicals such as 1,3 butadiene and formaldehyde from the exhaust of vehicles on U.S. 101. However, acute and chronic health hazards associated with inhalation of these chemicals would be below the SBCAPCD threshold (a hazard index of 1.0) for proposed residences. A hazard index is the summation of the hazard quotients for all chemicals to which an individual would be exposed. Based on this finding, future residents on-site would experience a less than significant acute and chronic health risk from freeway, railroad, and permitted sources.

The HRA analysis is based on outdoor air concentrations and conservatively assumes that interior concentrations would be the same as outdoor concentrations. USEPA activity factors show that people in a residential environment spend only approximately 2.3 hours per day on an average basis outdoors.<sup>2</sup> Therefore, the HRA recommends a ~~mitigation~~ measure that includes forced air ventilation with filter screens on outside air intake ducts to be provided for all residential units on the Project site. The identified ~~mitigation~~ measure is included as a project-specific condition of approval and would reduce the future residents' exposure to toxic air contaminants associated with U.S. 101 and the UPRR to below the recommended 10 in one million threshold for a 9-year and 30-year residency, as demonstrated below.

Compliance with the conditions of approval would provide for the removal of particulates before they enter the indoor environment, thereby reducing the overall exposure of individual residents. With this reduction in exposure to TACs, the combined exposure from time spent both indoors and outdoors would be below SBCAPCD recommended health risk criteria, as shown in Table 4.2-9. The reduced carcinogenic health risk values in Table 4.2-9 only account for the particulate matter reductions from the proposed filtration devices. The MERV 13 rated filter screens would reduce residential cancer risk by approximately 83 percent. Resulting health risk would be below SBCAPCD recommended health risk criteria. Refer to Appendix C for complete model methodology.

---

<sup>2</sup> USEPA, *Exposure Factors Handbook*, 2011; Table 16-16 Time Spent (minutes/day) in Various Rooms at Home and in All Rooms Combined, Doers Only and Table 16-22 Mean Time Spent (minutes/day) Outside and Inside, Adults 18 Years and Older, Doers Only. "Doers Only" includes data for individuals that spent >0 time in motor vehicles and had 30 or more records.



**Table 4.2-9  
Potential Carcinogenic Health Risks with Reduction Measures**

	Mitigated Excess Cancer Risk <sup>1</sup>	Exceed Criterion? (10 <sup>-5</sup> )
<b>Residential 1</b>		
9-year Resident	-	-
Adult	2.56E-06	NO
Child	3.77E-06	NO
30-year Adult	8.51E-06	NO
<b>Residential 2</b>		
9-year Resident	-	-
Adult	2.44E-06	NO
Child	3.61E-06	NO
30-year Adult	8.15E-06	NO
<b>Residential 3</b>		
9-year Resident	-	-
Adult	2.94E-06	NO
Child	4.34E-06	NO
30-year Adult	9.79E-06	NO
<b>Residential 4</b>		
9-year Resident	-	-
Adult	2.08E-06	NO
Child	3.08E-06	NO
30-year Adult	6.93E-06	NO

*See appendix for complete model results.*

*1: After public circulation of the Revised Draft EIR in May 2021, the project design was revised and Buildings 8 and 9 shifted southwards by approximately 5 feet and 2 feet, respectively, further way from the UPRR railroad and U.S. 101. The small shift in distance of residents from the pollutant sources would result in a negligible reduction in the health risk modeling results.*

Although the analysis of health risks assumes outdoor exposure, the finding of a potentially significant impact related to cancer risk does not mean that using exterior portions of the site would create acute, or short-term, health risks for site residents or visitors. The excess cancer risk identified in the HRA is based on a 30-year exposure, which is the high-end (95-percentile) residency, the exposure duration scenario recommended by the SBCAPCD in the *Modeling Guidelines for Health Risk Assessments* (August 2015); and is greater than the length of time that the majority of residents of the Project would be expected to live on-site.

**Mitigation Measures.** No significant impacts would occur and no mitigation is required. In accordance with the HRA for the Project, the following mitigation measure is required to reduce impacts to residential receptors on the Project site to a less than significant level:

**AQ-4 — Indoor Air Pollution.** The mitigation actions listed below apply to all new residential units on the Project site:



- ~~Forced air mechanical ventilation with fresh air filtration using filter screens on outside air intake ducts must be provided for all residential units proposed on the site. The filter screens must have a minimum MERV 13 rating, capable of removing at least 90% of the particulate matter including fine particulate matter (PM<2.5 micron). Air intakes must be located on the side of the building facing away from U.S. 101 and windows facing U.S. 101 cannot be capable of opening unless warranted to comply with California Building Code requirements for emergency egress.~~
- ~~For individual residential units with separate HVAC systems, a brochure notifying the future residents of the need for maintaining the filter screens and keeping windows closed to ensure adequate fresh air filtration must be prepared and provided at the time of lease signing. In addition, a notice of the diesel particulates risk hazard and the need for screen maintenance must be recorded in the property title and included with lease agreements.~~
- ~~Install high efficiency ceiling fans.~~
- ~~Windows and doors must be fully weatherproofed with caulking and weather stripping that is rated to last at least 20 years.~~

~~**Plan Requirements and Timing:** These mitigation measures must be incorporated into the Project and shown on the plans submitted to the City with the Zoning Clearance application and building plan check. The brochure and the specifications for the filter screens must also be submitted to the Planning and Environmental Review Director or designee for review before the City approves the Zoning Clearance for the project.~~

~~**Monitoring:** The Planning and Environmental Review Director or designee must review the hazard avoidance measures and confirm acceptable wording in the brochure and the suitability of the proposed screens before the City provides Zoning Clearance. City building inspectors must check for installation of the filter screens and adequate weather-proofing in the appropriate units before the City issues certificates of occupancy.~~

~~**Plan Requirements and Timing:** These mitigation measures must be incorporated into the Project and shown on the plans submitted to the City with the Zoning Clearance application and building plan check. The brochure and the specifications for the filter screens must also be submitted to the Planning and Environmental Review Director or designee for review before the City approves the Zoning Clearance for the project.~~

~~**Monitoring:** The Planning and Environmental Review Director or designee must review the hazard avoidance measures and confirm acceptable wording in the brochure and the suitability of the proposed screens before the City provides Zoning Clearance. City building inspectors must check for installation of the filter screens and adequate weather-proofing in the appropriate units before the City issues certificates of occupancy.~~

~~**Residual Impact.** Compliance with these mitigation actions would provide for the removal of particulates before they enter the indoor environment, thereby reducing the overall exposure of individual residents. With this reduction in exposure to TACs, the combined exposure from time spent~~



both indoors and outdoors would be below significance thresholds, as shown in Table 4.2-9. Resulting impacts would be less than significant.

**Table 4.2-9  
Mitigated Potential Carcinogenic Health Risks Within the Project Site**

-	Mitigated Excess Cancer Risk	Exceed Criterion? ( $10^{-5}$ )
<b>Residential 1</b>		
9-year Resident	-	-
Adult	2.56E-06	NO
Child	3.77E-06	NO
30-year Adult	8.51E-06	NO
<b>Residential 2</b>		
9-year Resident	-	-
Adult	2.44E-06	NO
Child	3.61E-06	NO
30-year Adult	8.15E-06	NO
<b>Residential 3</b>		
9-year Resident	-	-
Adult	2.94E-06	NO
Child	4.34E-06	NO
30-year Adult	9.79E-06	NO
<b>Residential 4</b>		
9-year Resident	-	-
Adult	2.08E-06	NO
Child	3.08E-06	NO
30-year Adult	6.93E-06	NO

*See appendix for complete model results.*

**c. Cumulative Impacts.** Cumulative development in the City of Goleta and the Goleta vicinity (Highway 154 to Gaviota) would contribute to the cumulative degradation of regional air quality. As discussed in Section 3.0, *Related Projects*, 741 residential units and more than 782,000 square feet of non-residential development are currently planned and pending in and around Goleta. Because Santa Barbara County is in non-attainment the state standard for PM<sub>10</sub>, there is currently an existing cumulative impact associated with PM<sub>10</sub> emissions. As stated in the SBCAPCD’s *Environmental Review Guidelines*, “Unless otherwise specified in published/adopted thresholds of significance and guidelines, a project’s potential contribution to cumulative impacts is assessed utilizing the same significance criteria as those for project specific impacts” (SBCAPCD, 2021). As shown in Table 4.2-4, the Project would not exceed any of the SBCAPCD-recommended thresholds and therefore, the Project’s contribution to cumulative air quality impacts would be less than significant.

In addition, pursuant to Goleta thresholds, the Project would have a significant cumulative impact if it were inconsistent with the adopted federal and state air quality plans of Santa Barbara County. As discussed in Impact AQ-1, the Project would not conflict with or obstruct implementation of the 2019 Ozone Plan. Therefore, the project’s impact on air quality would not be cumulatively considerable.



## 4.3 BIOLOGICAL RESOURCES

This section identifies biological resources present on the Project site and assesses the Project's impacts on those resources. The discussion of biological resources incorporates the results of 2015 and 2021 reconnaissance-level surveys of the Project site conducted by the City's EIR consultant (see Appendix D). The surveys updated the results of previous biological surveys of the site, including the *Technical Review of Coastal Sage Scrub Environmentally Sensitive Habitat Area for the North Willow Springs Project* (Dudek, 2014a, see Appendix D) and *Wildlife Corridor Analysis for the Heritage Ridge Project* (Dudek, 2014b, see Appendix D), and *Heritage Ridge 100' Stream Protection Area Setback Reduction Request* (TK Consulting, Inc., 2020) incorporated herein by reference.<sup>1</sup> The 2015 and 2021 field reconnaissance surveys documented existing site conditions and the potential presence of sensitive biological resources, including sensitive plant and wildlife species, sensitive plant communities, jurisdictional waters and wetlands, and habitat for nesting birds. An *Analysis of ESHA Boundary and SPA Buffer Zone Environmentally Sensitive Habitat Biological Survey and Mapping* was prepared by Watershed Environmental Inc. in October 2021 and is included in Appendix D. An updated record search and reconnaissance survey were performed by Rincon on March 25 and 26, 2021, respectively, to verify the site conditions.

### 4.3.1 Setting

**a. Regional Setting.** The Project site is located within the South Coast region of Santa Barbara County within the Santa Ynez – Sulphur Mountains subsection of the Southern California Coast, an ecological unit that extends from the Santa Ynez River mouth in northern Santa Barbara County, south and east to the Sulphur Mountains in northern Ventura County. This ecological unit is generally defined by its topography and geography. Locally, the Santa Ynez Mountains to the north of the site form relatively steep hillsides vegetated by native chaparral and drained by incised streams along which grow bands of riparian shrubs and woodlands.

The presence and proximity of the 4,000+ feet high Santa Ynez Mountains adjacent to the Pacific Ocean influence climatic conditions by forcing moving air upwards, and causing an increase in precipitation along the coastal plain. Annual precipitation in this area ranges from 13 to 18 inches, increasing with elevation, and temperatures range from 45 to 65 degrees Fahrenheit (°F). Summer daytime temperatures are also often modified by morning fog and sea breezes and the growing season lasts 250 to 360 days per year.

Much of the coastal plain in the Goleta area between the Santa Ynez Mountains and Pacific Ocean is developed or has been historically disturbed by agriculture or ranching uses. Relatively undisturbed habitats are present along narrow riparian corridors, in scattered undeveloped lands of varying sizes, and in protected open space areas. The habitats and wildlife resources of the area reflect those typically found within the coastal plains of southern California. Native vegetation within the City of Goleta is fragmented, and consists primarily of riparian and upland woodlands and coastal scrub.

**b. Project Site Setting.** The Project site is within the 47.4-square mile Goleta Slough Watershed, which is fed by five major streams: Atascadero, San Pedro, and San Jose Creeks (which meet near the mouth of the slough) and Los Carneros and Tecolotito Creeks (which meet "upstream" and north of the slough mouth). Not all the tributary creeks are equally important to the functioning of the slough. Atascadero (Maria Ygnacio is part of the Atascadero system), San Jose and San Pedro enter the slough on

---

<sup>1</sup> During the development of the Willow Spring I and II projects located adjacent to the south, the Project site was previously referred to as "North Willow Springs."



its extreme eastern edge, within a few hundred meters of the mouth, and have little influence on slough conditions during most of the year. In contrast, Tecolotito and Los Carneros, although smaller streams, enter on the northwest corner and waters, along with tidal inflows, that determine water quality for much of the wetland (Leydecker, 2006).

Lake Los Carneros is a historic man-made duck pond built in 1936, located north of U.S. 101, approximately 1,300 feet north of the Project site. The lake is part of a 136-acre City natural area (Lake Los Carneros Natural and Historic Preservation or LLCNHP).

The Goleta Slough begins 1,200 feet south of the Project site between Hollister Avenue and the Pacific Ocean. The Goleta Slough is a large expanse of open water and estuarine/wetland habitats that supports a rich and diverse coastal ecosystem of biological and cultural importance, and provides important ecosystem services such as floodwater storage capacity and the filtering of pollutants contained within stormwater runoff. The Goleta Slough is the northernmost example of a large southern California estuary and represents the northern limit of distribution for several plant and animal species. The slough contains breeding populations of listed species such as the State listed as endangered Belding's savannah sparrow (*Passerculus sandwichensis beldingi*) and federally listed as endangered tidewater goby (*Eucyclogobius newberryi*), as well as other species of federal, state and local concern.

Los Carneros Creek flows intermittently beginning approximately ~~100~~ 67 feet to the north of the Project footprint site, parallel to U.S. 101, and then into an open, concrete-lined channel 450 feet to the east of the Project footprint site (beyond Aero Camino). It then flows from LLCNHP, to a culvert under U. S. 101, and is diverted in a concrete channel for 0.41 mile until it confluences with Tecolotito Creek and flows into the Goleta Slough, from whence its waters flow to the Pacific Ocean. The San Pedro Creek watershed (HUC 180600130202) includes San Pedro, San Jose, Los Carneros, and Tecolotito Creeks and their tributaries, and drains approximately 27.6 square miles. Tecolotito and Los Carneros Creeks had channel realignment projects implemented in 2006 as part of the airport expansion (County of Santa Barbara 2010). Compared with Tecolotito Creek, Los Carneros Creek is less developed and has fewer commercial or residential areas within its watershed (Leydecker, 2006).

The seven-acre Los Carneros Wetland, classified as an Environmentally Sensitive Habitat Area (ESHA) in the City's General Plan Conservation Element, is located adjacent to South Los Carneros Road and Hollister Avenue, south of the Project site. The Wetland is just west of the Willow Springs I development, beginning approximately 80 feet from the southern corner of the Project site. Between Willow Springs I and II is an oval-shaped private open space preserve area, which is landscaped with a combination of ornamental and native species.

The Project site has undergone disturbance and import of fill, as discussed under Section 2.0, *Project Description*. Soils in the Project site are mapped as Goleta fine sandy loam, 0% to 2% slopes, Milpitas-Positas fine sandy loam, 2% to 9% slopes, and Xerorthents cut and fill areas (NRCS, 2015).

**Methodology.** Rincon staff reviewed literature for baseline information on biological resources potentially occurring at the Project site and in the surrounding area. The literature review included information available in peer reviewed journals, standard reference materials (e.g., Bowers et al., 2004; Burt and Grossenheider, 1980; Holland, 1986; Baldwin et al., 2012; Sawyer et al., 2009; Stebbins, 2003; Oberhauser, 2004; American Ornithologists Union, 2014; United States Army Corps of Engineers (USACE), 2008 and 2014). Site-specific reports were reviewed, including the *Technical Review of Coastal Sage Scrub Environmentally Sensitive Habitat Area for the North Willow Springs Project* (Dudek, 2014a), *Wildlife*





*Corridor Analysis for the Heritage Ridge Project* (Dudek, 2014b), and *Preliminary Landscape Plan, Heritage Ridge* (True Nature, 2021~~14~~). Rincon also conducted a review of relevant databases in 2015 of sensitive resource occurrences from the California Department of Fish and Wildlife (CDFW) California Natural Diversity Data Base (CNDDDB) (CDFW, 2015a) and Biogeographic Information and Observation System (CDFW, 2015b); the U.S. Fish and Wildlife Service (USFWS) Critical Habitat Portal (USFWS, 2015a), National Wetlands Inventory Wetlands Mapper (USFWS, 2015b), and Information, Planning and Conservation System (USFWS, 2015a); the United States Department of Agriculture, Natural Resources Conservation Service Web Soil Survey (United States Department of Agricultural, Natural Resources Conservation Service, 2015); and the California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants of California (CNPS, 2015). The City of Goleta General Plan / Coastal Land Use Plan (2009) (General Plan), and the City of Goleta Environmental Review Guidelines and Environmental Thresholds Manual and State CEQA Guidelines (2014) were also reviewed. In 2021, an updated literature search was conducted of sensitive resource occurrences from the CDFW CNDDDB (CDFW 2021a) and the USFWS Critical Habitat Portal (USFWS, 2021a). Other sources of information about the site included aerial photographs, topographic maps, geologic maps, climatic data, and project plans. The Rare Plants of Santa Barbara County list was also reviewed (Central Coast Center for Plant Conservation, 2005). Previous biological studies for projects occurring in the region were reviewed, as dated in Appendix D.

Rincon Consultants conducted a vascular plant survey; wildlife observations; vegetation mapping; and a search for rare, threatened, and endangered species, sensitive natural communities, and potential jurisdictional resources on the Project site on three separate occasions from March through June 2015. An inventory of native plant and animal species observed during the site visit was compiled, and an evaluation of potential jurisdictional features was performed. Where applicable, native vegetation communities were classified according to Sawyer et al. (2009), and cross-referenced with Holland (1986). The off-site Los Carneros Creek Streamside Protection Areas (SPA) was visually confirmed in 2015 from the Project site based on 2009 City mapping since access was not authorized by the Union Pacific Railroad (UPRR). An additional site survey was conducted on March 26, 2021 to verify conditions on the Project site. Surveys were conducted on foot and covered the Project site and a 100-foot buffer surrounding the Project site. Wildlife species were identified by direct observation, vocalization, or by sign (e.g., tracks, scat, burrows). Dudek biologists also visited the site on January 22, 2014 and August 29, 2016 and conducted an Environmentally Sensitive Habitat Area (ESHA) analysis of the Project site and vicinity. The Dudek biologists visited the site on five additional occasions in January and February 2013; and on four occasions from February through April 2014 to assess of the condition and quality confirm existing biological conditions; search for wildlife species, sign and tracks, and travel routes; and perform nocturnal spotlighting surveys. The site was also surveyed by Envicom in 2010 and Dudek 2008 as part of the Willow Springs II permitting process (City of Goleta, 2011). Section 8.0 Comment Letter 14 reflects the results of the 2016 Dudek special-status plant survey and habitat assessment. An *Analysis of ESHA Boundary and SPA Buffer Zone Environmentally Sensitive Habitat Biological Survey and Mapping* was also prepared in October 2021 August 2020 by Watershed Environmental Inc., which included an updated 2015 baseline survey and mapping of the ESHA.

The following communities are present on site, as shown in Figure 4.3-1:

*Baccharis pilularis* (Coyote brush scrub) Alliance [32.060.00]. The Manual of California Vegetation (2009) describes this community as occurring in river mouths, stream sides, terraces, stabilized dunes of coastal bars, spits along the coastline, coastal bluffs, open slopes, and ridges, although the species is upland. Elevations range from sea level to approximately 4,900 feet above mean sea level (amsl). Stands



Heritage Ridge Residential Project EIR  
**Section 4.3 Biological Resources**



Imagery provided by Google and its licensors © 2015.

Habitat Map

Figure 4.3-1  
 City of Goleta

in southern California tend to be largely at the beginning stages of ecological succession towards a steady state (e.g., maturity), such as scrub and woodland types. *B. pilularis* mixes with shrubs with southern affinities (*Artemisia californica*, *Encelia californica*, *Eriogonum fasciculatum*, *Salvia leucophylla*, *S. mellifera*). On the south coast, *Baccharis pilularis* alliance appears as more disturbance related.

Coyote brush scrub at the site is a relatively open stand dominated by coyote brush with an understory of non-native grasses and forbs. The shrub layer consists almost exclusively of coyote brush, and biological diversity is low. California sagebrush is present, but at less than one percent of the total shrub cover. There are no other sage species present (i.e., species of the genera *Salvia* or *Artemisia*). Commonly-occurring species in the understory herbaceous layer are non-native and include sweet fennel (*Foeniculum vulgare*), pampas grass (*Cortaderia jubata*), short-podded mustard (*Hirschfeldia incana*), scarlet pimpernel (*Anagallis arvensis*), Harding grass (*Phalaris aquatica*), filarees (*Erodium* spp.), rippgut brome (*Bromus diandrus*), rattail fescue (*Vulpia myuros*), and soft chess (*Bromus hordeaceus*). An emergent arroyo willow (*Salix lasiolepis*) is present at the northern corner of this community adjacent to the internal access road.

Coyote brush is an early colonizer of disturbed areas. The coyote brush scrub on-site has become established in a slight depression, since this area was last mass graded. Due to the Project site's long history of agricultural use and grading, the coyote brush scrub contains low native species diversity, is infested by invasive species, and has lower overall biological value as compared to coyote brush scrub in a less-disturbed condition. Based on these characteristics, this community is not an example of intact coastal sage scrub that would qualify as ESHA. For further discussion refer to Appendix D, Attachment F *Technical Review of Coastal Sage Scrub Environmentally Sensitive Habitat Area for the North Willow Springs Project*.

*Atriplex lentiformis* Shrubland (Quailbush Scrub) Alliance [36.370.00]. The Manual of California Vegetation (2009) describes this community as occurring on gentle to steep southeast- and southwest-facing slopes. Elevations range from sea level to approximately 557 feet amsl. The alliance especially occurs in disturbed areas, including roadsides and fluvial areas with alkaline soils. *Atriplex lentiformis* is dominant in the shrub canopy with *Artemisia californica*, *Atriplex canescens*, *Baccharis pilularis*, *Baccharis salicifolia* ssp. *salicifolia*, *Encelia californica*, *Kochia americana*, *Malosma laurina*, *Pluchea sericea*, *Rhus integrifolia*, *Sporobolus airoides*, *Suaeda taxifolia* and *Tamarix* spp. Emergent trees may be present at low cover, including *Myoporum laetum* or *Prosopis glandulosa*.

The community on-site is comprised almost exclusively of common disturbance following native species and non-native invasive species. As is typical with most vegetation maintained in a ruderal condition by frequent disturbance, this vegetation type within Project site does not directly fit into the CDFW plant community classification system. The shrub layer of community on-site is dominated by quailbush, with codominant coyote brush. The understory is dominated by mustard and other non-native annuals. An emergent red willow trees is present in the southeast corner. The on-site community is characterized as ruderal scrub rather than a natural community, but is described as quailbush scrub for the purposes of classification. Quailbush and coyote brush are known initial colonizers after disturbances (i.e., grading), and native plant diversity and structure within the community is low. The Quailbush scrub is established on fill material, presumably since this area of the site was last mass graded. Quailbush scrub is not considered sensitive by CDFW, and is not classified as coastal sage scrub. An emergent red willow (*Salix lasiolepis*) is present in this community at the western Project boundary adjacent to Los Carneros Road.



*Bromus (diandrus, hordeaceus)-Brachypodium distachyon Herbaceous Semi-Natural Alliance [42.026.00]*. This semi-natural stand is found in all topographic settings in foothills, waste places, rangelands, openings in woodlands. Elevations range from sea level to approximately 7,200 feet amsl. On-site areas mapped as non-native grasses and forbs consist overwhelmingly of introduced non-native species, with native species poorly represented. Ripgut brome, summer and black mustard, smilo grass (*Stipa miliacea*), soft chess, and foxtail barley (*Hordeum murinum*) are prevalent. Other selected non-native species occurring in notable quantities are long-beaked filaree (*Erodium botrys*), bristly ox-tongue (*Helminthotheca [=< Picris] echinoides*), tocalote (*Centaurea melitensis*), and Italian thistle (*Carduus pycnocephalus*). These species may be well distributed or concentrated in certain areas.

Native annual species represent much less than five percent of the vegetative cover. Among these species are Canada horseweed (*Conyza canadensis*), common tarweed (*Deinandra fasciculata*), and western ragweed (*Ambrosia psilostachya*). Emergent native shrubs include California sagebrush and coyote brush. Because they are comprised almost exclusively of non-native invasive species, areas mapped as Bromus grassland are not sensitive.

*Brassica nigra and other mustards (Upland Mustards) Herbaceous Semi-Natural Alliance [42.011.00]*. Typically occurs in fallow fields, grasslands, roadsides, levee slopes, disturbed coastal scrub, riparian areas, waste places. Elevations range from sea level to approximately 4,900 feet amsl. *Brassica nigra*, *Brassica rapa*, *Brassica tournefortii*, *Hirschfeldia incana*, *Isatis tinctoria* or *Raphanus sativus* are dominant in the herbaceous layer. Emergent trees and shrubs may be present at low cover.

Under the Willow Springs II EIR, this area was classified as “non-native grasses and forbs” (City of Goleta, 2012). On-site black mustard (*brassica nigra*) is dominant, and many other non-native annual species are also present. This area was required to be hydro-seeded with native seed for erosion control following grading in 2013 as part of Willow Springs II. Seeded species include purple needle grass (*Stipa pulchra*), nodding needle grass (*Stipa cernua*), California brome (*Bromus carinatus*), blue wildrye (*Elymus glaucus*), California brittlebrush (*Encelia californica*), western blue-eyed grass (*Sisyrinchium bellum*), small fescue (*Festuca microstachys*), and California poppy (*Eschscholzia californica*). Emergent trees include tree tobacco (*Nicotiana glauca*) and shrubs include castor bean (*Ricinus communis*) and coyote brush.

Pursuant to the General Plan CE Policy 5.2 and the City of Goleta Environmental Review Guidelines and Environmental Thresholds Manual, existing native grasslands must be comprised of 10% or more total relative cover (proportion in relation to other species) of native grasses and that removal of or disturbance to a patch of native grasses (e.g., purple needle grass) less than 0.25 acre that is clearly isolated and not part of a significant native grassland or an integral component of a larger ecosystem may be allowed. The purple needle grass observed within the upland mustard area does not constitute sensitive native grassland pursuant to the General Plan and of Goleta Environmental Review Guidelines and Environmental Thresholds Manual, since it was present in an isolated area of less than 0.25 acre which does not meet the coverage criteria. The isolated area containing purple needlegrass was hydro-seeded with native grass species and California poppy as required for erosion control following approved grading in 2013.

*Disturbed*. Disturbed areas include the Camino Vista roadway constructed in 2013, dirt roads, and areas cleared as part of the recent Los Carneros Bridge improvements. These areas have been recently graded or are subject to routine disturbance, leaving them barren or sparsely vegetated. Plant species consist overwhelmingly of non-native species, as well as occasional native species common to highly disturbed areas.



The Project would result in the removal of the following acres of each habitat type shown in Table 4.3-1:

**Table 4.3-1  
 Project Site Habitats**

Habitat Type	Acres Impacted
<i>Baccharis pilularis</i> (Coyote brush scrub) Alliance	3.3
<i>Atriplex lentiformis</i> Shrubland (Quailbush Scrub) Alliance	4.9
<i>Brassica nigra</i> and other mustards (Upland Mustards) Herbaceous Semi-Natural Alliance	4.1
<i>Bromus (diandrus, hordeaceus)-Brachypodium distachyon</i> Herbaceous Semi-Natural Alliance	1.7
Disturbed	3.4
<b>Total</b>	<b>17.4</b>

Off-site natural communities, between the railroad and U.S. 101 to the north of the site, include Eucalyptus groves (*Eucalyptus (globulus, camaldulensis)* Semi-Natural Woodland Stands [79.100.00]) and Arroyo willow thickets (*Salix lasiolepis* Alliance [61.205.00]).<sup>2</sup>

Special Status Plants. For the purposes of this report, special status plant species are those plants listed, proposed for listing, or candidates for listing as threatened or endangered by the USFWS under the federal Endangered Species Act (FESA) (7 U.S.C. § 136, 16 U.S.C. § 1531 *et seq.*); those listed or proposed for listing, or candidates for listing as rare, threatened, or endangered by the CDFW under the California Endangered Species Act (CESA); and/or species on the *Special Vascular Plants, Bryophytes, and Lichens List* (CDFW, 2015c). This latter document includes the *California Native Plant Society (CNPS) Inventory of Rare and Endangered Vascular Plants of California, Seventh Edition* (CNPS, 2021) as updated online. Those plants contained on the CNPS Rare Plant Rank (CRPR) Lists 1, 2, 3, and 4 are considered special status species; refer to Appendix D for further discussion of CRPR specifics. CEQA Guidelines, Section 15125(a), also directs that special emphasis should be placed on resources that are rare or unique to the region. For example, plants listed by the Santa Barbara Botanic Garden (SBBG) or the Goleta Slough Ecosystem Management Plan (GSEMP) may be considered locally sensitive.

Based on the database and literature review, 17 special status plant species are known or have the potential to occur within a 5-mile vicinity of the Project site. Of these, seven special status plant species have a low potential to occur based on the presence of potentially suitable habitat and recorded occurrences:

- Coulter's saltbush (*Atriplex coulteri*) – CRPR 1B.2
- Davidson's saltscale (*Atriplex serenana* var. *davidsonii*) – CRPR 1B.2
- Mesa horkelia (*Horkelia cuneata* var. *puberula*) – CRPR 1B.1
- Pale-yellow layia (*Layia heterotricha*) – CRPR 1B.1
- Black-flowered figwort (*Scrophularia atrata*) – CRPR 1B.2
- Southern tarplant (*Centromadia parryi* ssp. *australis*) – CRPR 1B.1
- Contra Costa goldfields (*Lasthenia conjugens*) – federally endangered and CRPR 1B.1
- Santa Barbara honeysuckle (*Lonicera subspicata* var. *subspicata*) – CRPR 1B.2

---

<sup>2</sup> Also considered Southern Arroyo Willow Riparian Forest [CTT61320CA] under Holland, which is considered sensitive by CDFW.





No special status plant species were observed during the spring 2021 survey, spring 2015 surveys or previous surveys in 2014, 2013, 2010, or 2008. Based on the long history of agricultural use and soil disturbance at the Project site, and because the Project site was mass graded on at least two occasions since 1986, the potential for occurrence of special status plant species is considered to be very low. Furthermore, competition from invasive species further reduces the potential for occurrence of listed species.

**Sensitive Plant Communities.** One sensitive plant community that is tracked by the CNDDDB occurs within the Project vicinity: Southern Coastal Salt Marsh. This nearshore marine tidal habitat is not present on-site. During the 2021 and 2015 surveys no sensitive plant communities were present, nor were any of the individual indicator species associated with the communities observed. As discussed above, the purple needlegrass hydro-seeded within the upland mustard area is not considered a sensitive community pursuant to the General Plan and City of Goleta Environmental Review Guidelines and Environmental Thresholds Manual. ESHA on-site and adjacent to the Project site is discussed below, shown in Figure 4.3-2, and discussed in detail in Appendix D. Special-Status Species and Environmentally Sensitive Habitats identified in the Goleta General Plan/Local Coastal Program are shown in Figure 4.3-3.

**Special Status Wildlife.** Special status wildlife species are animals listed, proposed for listing, or candidates for listing as threatened or endangered by the USFWS or National Marine Fisheries Service under the FESA; those listed or proposed for listing as rare, threatened, or endangered by the CDFW under the CESA; animals designated as “Fully Protected,” “Species of Special Concern,” or “Rare,” by the CDFW; and species on the *Special Animals List* (CDFW, 2015d). CEQA Guidelines Section 15125(a) also directs that special emphasis should be placed on resources that are rare or unique to the region.

Based on the database and literature review, 47 special status wildlife species are known or have the potential to occur within the vicinity; known occurrences within 5 miles of the Project site were considered in this analysis (Appendix D). Of these, 26 species have a low potential to occur, based on the “low” criteria.<sup>3</sup> While species such as white-tailed kite and Coopers hawk have been recorded foraging on the site, they have a low potential to occur based on the category under Appendix D. For bird and bat species, the low category may be used for species that are documented but likely to be only transient through the area during foraging or migratory movements, and for which no suitable nesting or roosting habitat is present. The species that can be reasonably anticipated to occur were determined based on the reported ranges of the species, and the type, extent, and condition of habitat available at the site.

The use of the site by sensitive vertebrate wildlife species is limited to foraging by some species of birds and mammals listed as Fully Protected (FP), Species of Special Concern (SSC), Watch List (WL), or other Special Animals (SA) by the State of California. No species listed as threatened or endangered under the FESA or the CESA are expected to have the potential to occur at the site; for details refer to Appendix D, *Special Status Species Evaluation Tables*. No sensitive species are expected to reproduce at the site.

---

<sup>3</sup> The “low” definition, from Appendix D: Suitable or marginal habitat may occur in the Project site; however: no CNDDDB records of the species have been recorded within twenty five years; records of the species within 5 miles of the Project are suspected to be now extirpated or potentially misidentified with other species; or individuals were not observed during field surveys and are not anticipated to be present. For bird and bat species, this category may be used for species that are documented, but likely to be only transient through the area during foraging or migratory movements, and for which no suitable nesting or roosting habitat is present.





Imagery provided by Google and its licensors © 2015.  
 Additional data provided by City of Goleta, 2021.

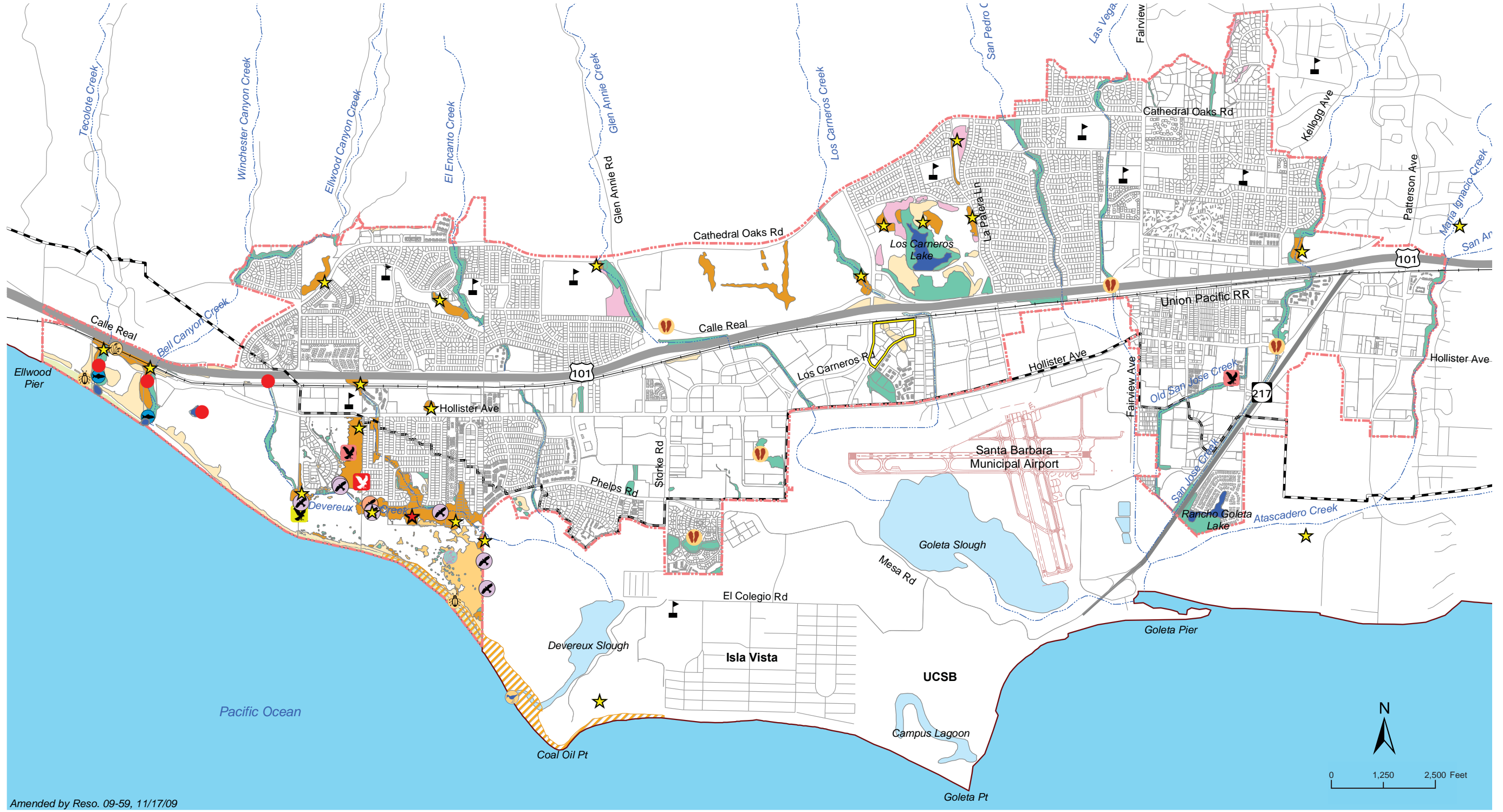
Surrounding ESHA Map

Figure 4.3-2  
 City of Goleta



*This page intentionally left blank.*





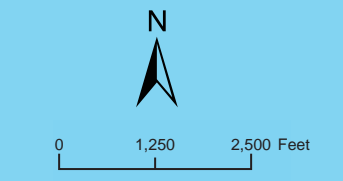
Amended by Reso. 09-59, 11/17/09

- | Legend                                    |  | Special-Status Species     |                               |
|---|--|----------------------------|-------------------------------|
| <b>Environmentally Sensitive Habitats</b> |  |                            |                               |
| Beach and Shoreline                       | Sage Scrub/Dune/Bluff Scrub                      | Cooper's Hawk Nest         | Tidewater Goby                |
| Unvegetated Open Creek Channel            | Native Upland Woodlands/Savannahs                | Kite Nest                  | Red-Legged Frog               |
| Open Water                                | Monarch Butterfly and/or Raptor Roosting Habitat | Red-Shouldered Hawk Nest   | Globose Dune Beetle           |
| Riparian/Marsh/Vernal Pool                | Critical Habitat for the Western Snowy Plover    | Red-Tailed Hawk Nest       | Santa Barbara Honeysuckle     |
| Native Grassland                          |  | Vulture Roost              | Black-Flowered Figwort        |
|   |  | Western Snowy Plover       | Southern Tarplant             |
|   |  | Ellwood Main Monarch Grove | Monarch Butterfly Aggregation |

- Other Features**
- Goleta City Boundary
  - Coastal Zone
  - Schools
  - Creeks
  - Project Site

**Sources:** Habitat mapping conducted by Jones & Stokes in April-May 2006 based on aerial imagery (1-foot resolution) and field observation, merged with 1) information on the occurrence of special status habitats and species collected by City from recent information from local environmental review; 2) mapping of creeks, ponds, lakes and reservoir location based on USGS topographic map review and habitat management plan documents, air photo interpretation, and field survey; and 3) review of California Natural Diversity Database (CNDDDB) records by Jones & Stokes for occurrence of special status species in the Goleta and Dos Pueblos quadrangles and vicinities (2006 databases). Habitats reflect those comprising an ESHA.

**Note:** ESHA locations are approximate. Any area not designated on the ESHA map that meets the ESHA criteria shall be accorded the same protections as if the area was shown on the map. ESHA buffers are not shown on this map. Refer to the applicable policy in the General Plan for the specific buffer widths.



Special-Status Species and Environmentally Sensitive Habitat Areas

*This page intentionally left blank.*



Special status species present or with a low potential to occur within or adjacent to the Project site but could be potentially affected, are discussed below.

Low:

- Monarch butterfly (*Danaus plexippus*) – Federal Candidate, State SA, foraging
- Silvery legless lizard (*Anniella pulchra pulchra*) – SSC
- Coast horned lizard (*Phrynosoma blainvillii*) – SSC
- Two-striped garter snake (*Thamnophis hammondi*) – SSC, foraging
- Cooper’s hawk (*Accipiter cooperi*) – WL, foraging
- Grasshopper Sparrow (*Ammodramus savannarum*) – SSC, foraging
- Sharp-shinned hawk (*Accipiter striatus*) – WL, foraging
- Short-eared owl (*Asio flammeus*) – SSC, foraging
- Long-eared owl (*Asio otus*) – SSC, foraging
- Burrowing owl (*Athene cunicularia*) – SSC, overwintering and foraging
- Vaux’s swift (*Chaetura vauxi*) – SSC, foraging
- Northern harrier (*Circus cyaneus*) – SSC, foraging
- Black swift (*Cypseloides niger*) – SSC, foraging
- White-tailed kite (*Elanus leucurus*) – FP, foraging
- Merlin (*Falco columbarius*) – WL, foraging
- Loggerhead shrike (*Lanius ludovicianus*) – SSC, foraging
- Yellow warbler (*Setophaga petechia*) – SSC, foraging
- Hoary bat (*Lasiurus cinereus*) – SA, foraging
- Pallid bat (*Antrozous pallidus*) – SSC, foraging
- Silver-haired bat (*Lasionycteris noctivagans*) – SA, foraging
- Western mastiff bat (*Eumops perotis californicus*) – SSC, foraging
- Western red bat (*Lasiurus blossevillii*) – SSC, foraging
- Townsend’s big-eared bat (*Corynorhinus townsendii*) – SSC, foraging
- Yuma myotis (*Myotis yumanensis*) – SA, foraging
- American badger (*Taxidea taxus*) – SSC, foraging

No special status wildlife species were observed during the 2021 surveys, or previous surveys, with the exception of foraging raptors. As many as seven species of special-status bats and one other species of special-status mammal may occur at the Project site. The bat species would only be expected to aerially forage occasionally over the site, and would not be expected to roost, hibernate, or reproduce on the site. The American badger could potentially reach the Project site from natural areas to the north by way of the Los Carneros Creek riparian corridor; although, given the disturbed condition of the Project site and vicinity, as well as its small size, any occurrence of badgers would likely be transient.

*Nesting Bird Habitat.* The Project site contains habitat that can support nesting birds, including raptors, protected under the California Fish and Game Code (CFG) Section 3503 and the Migratory Bird Treaty Act (MBTA) (16 U.S.C. §§ 703–712). Woody shrubs, eucalyptus and willow woodlands, and ornamental trees are present within and adjacent to the Project site that could provide suitable nesting habitat. However, no active or previously occupied nests were observed in the vegetation during the 2021 surveys or previous surveys.

Many other sensitive bird species potentially use the Project site for foraging (see Appendix D), but are not expected to nest thereon. The yellow-breasted chat and the yellow warbler may temporarily forage



in the disturbed coyote brush scrub during migration, as each is known to utilize scrub habitats and is known to occur within the Goleta Slough Ecosystem and nearby Tecolotito Creek. The northern harrier is a fairly common visitor to the Goleta Slough and has been observed roosting at the Los Carneros Wetland, which is a few hundred feet to the south of the Project site. This species as well as migrants such as the Vaux's swift and black swift may potentially forage over the Project site when present in the area. The burrowing owl and loggerhead shrike are also known from the Goleta Slough and have been observed in the vicinity of the Project site to the west of Los Carneros Road.

*Raptor Habitat.* The City and surrounding area are inhabited by several species of migratory and resident raptors. Sensitive raptors species are known to occur or have potential to occur at the Project site, including the white-tailed kite, burrowing owl, northern harrier, Cooper's hawk, sharp-shinned hawk, long-eared owl, short-eared owl, and merlin may forage on or near the Project site. The white-tailed kite and burrowing owl are discussed below.

*White-tailed kite.* The white-tailed kite is a regular breeder and year-round resident in the Goleta area. Numbers declined in the area beginning in the 1970s through the early 1990s, but subsequently rebounded, based on annual Santa Barbara Audubon Society Christmas Bird Count data and annual monitoring of kite populations by local biologists (National Audubon Society 2015; Holmgren 2011). Although roost sites may shift suddenly within and between seasons, nearly all roosts on the South Coast since 1965 have been on or within one mile of More Mesa (Lehman, 2015). At the Goleta Slough, white-tailed kites forage regularly and have been recorded roosting in small numbers. Kites have been observed foraging over the Project site. The white-tailed kite inhabits low elevation, open grasslands, savannah-like habitats, agricultural areas, wetlands, and oak woodlands (Dunk, 1995). They nest in trees, usually with a dense canopy, but nest trees can vary from single, isolated trees to trees within large woodlands. Along the South Coast, preferred nest trees include (in order of frequency used): oaks, pines, Monterey cypress, eucalyptus, and willows (Holmgren, 2000). In the Goleta area, nest sites are always adjacent to open space areas with a stable prey base, and kites show long-term fidelity to sites with good foraging opportunities (Holmgren, 2000). A variety of foraging habitat types are used, but those that support larger and more accessible prey populations are more suitable. Diurnally active rodents, primarily meadow vole (*Microtus californicus*), but also house mouse (*Mus musculus*) and western harvest mouse (*Reithrodontomys megalotis*) are the kite's principal dietary components. White-tailed kite territory size is a function of prey and competitor abundance. Reported average territory sizes include 4 to 53 acres, 47 to 130 acres, and 42 to 297 acres (City of Goleta, 2011). They are also found less commonly over agricultural areas and along highway rights-of-way (Lehman, 2020~~15~~). Given the presence of suitable foraging habitat, the white-tailed kite has a low potential to occur within the Project site (see below for additional discussion).

*Burrowing owl.* The burrowing owl formerly bred along the South Coast and in western Santa Barbara County, but its presence along the South Coast and western portions of Santa Barbara County is now restricted to late fall and winter transients from more interior portions of California (Lehman, 2015). Favored overwintering sites over the past two decades have been More Mesa and San Marcos Foothills (Lehman, 2015). Burrowing owls frequent extensive dry or sparse grassland and agricultural areas. The burrowing owl nests in burrows typically dug by fossorial mammals such as badgers and ground squirrels. Man-made structures, such as cement culverts and debris piles, may also be used. Recent sightings of wintering burrowing owls along the South Coast include Atascadero Creek near More Mesa in 2008, rocky grassland northeast of Foothill Road and Highway 154, the University of California Santa Barbara (UCSB) West Campus in 1998 and other University lands north of the Coal Oil Point Reserve in 2001. The latter record was of a single individual observed within a burrow in heavily disturbed area in the southern portion of the University-owned South Parcel, several hundred feet northwest of Devereux Slough in



winter, 2001. A burrowing owl may have been observed on November 7, 2006 by Goleta staff along the railroad berm to the north of the Village at Los Carneros development site west of Los Carneros Road (City of Goleta, 2014a). Two overwintering burrowing owls were observed in 2019 at the UCSB North Campus Open Space (NCOS) in a block of restored habitat, approximately two miles southwest (NCOS 2020). Given the lack of recent records in the Project site vicinity, fragmented ruderal habitat subject to ongoing disturbance, and the adjacency of on-site ruderal habitat to U.S. 101 and the UPRR tracks, the burrowing owl has low potential to overwinter on or adjacent to the Project site.

According to the City's Environmental Thresholds and Guidelines Manual, the low potential to occur determination is applied to species that are documented, but likely to be only transient through the area during foraging or migratory movements. Several other raptors that do not meet the aforementioned definition as "sensitive" (but are protected when nesting pursuant to CFGC § 3503.5) were observed or have the potential to forage at the site, including the American kestrel (*Falco sparverius*), barn owl (*Tyto alba*), great horned owl (*Bubo virginianus*), red-shouldered hawk (*Buteo lineatus*), red-tailed hawk (*Buteo jamaicensis*), and turkey vulture (*Cathartes aura*). The following discussion of raptor habitat is applicable to raptors in general, but focuses considerably on the sensitive white-tailed kite, as the local population of white-tailed kites has been well studied, it is the only Fully Protected raptor documented as foraging (only) at the Project site, and it also nests in the Goleta area (outside the Project site).

The General Plan extends protection to raptor nesting and roosting sites, by designating nesting and roosting sites as ESHA. The City requires that new development be set back at least 100 feet from active and historical raptor nests that qualify as ESHA, under CE Policy 8.4 (when feasible). Nesting raptors are also protected by Fish and Game Code Sections 3503 and 3503.5, as well as the Migratory Bird Treaty Act.

Raptor nests were not observed during the biological surveys conducted in 2021, 2015, 2014, 2013, 2010, and 2008, and the General Plan does not have a record of a historical raptor nest at or adjacent to the Project site, as shown in the General Plan CE Figure 4.1 (Figure 4.3-1). Special Status and other sensitive raptors do not have potential to nest at the Project site due to lack of suitable nesting habitat and the proximity of the site to existing development, noise, and human activities, or because the Goleta area is outside of the species current breeding range. The Project site also lacks habitat for communal roosts of turkey vultures or white-tailed kites. The stand of eucalyptus located to the north of the northern stockpile area and the UPRR could be used by nesting raptors, although this is considered unlikely due to the proximity of the trees to Los Carneros Road and U.S. 101 and, therefore, considerable traffic and noise. Additionally, the off-site trees were surveyed for nests in the spring 2015, and raptor nests (active or inactive) were not detected.

White-tailed kites gather in communal roosts during the non-breeding season. Roost aggregations of several to 45 individuals were recorded during regular monitoring of several roost sites in Goleta from November 1986 to May 2000 (Holmgren, 2000). Historically, More Mesa has been the most important communal roosting site in the Santa Barbara area, which is approximately three miles from the Project site. Turkey vulture communal roosts at Ellwood North and Ellwood West on Ellwood Mesa are documented in the Ellwood-Devereux Coast Open Space and Habitat Management Plan (March 2004). The northern harrier has also roosted at the Los Carneros Wetland (GSEMP, 1997).

At the Los Carneros Wetland, white-tailed kites nested in 1990 (City of Goleta, 2012), and winter roosts were observed 1985–1990 (Lehman, 2015). However, presence/absence data for nesting kites is lacking for the wetland for most years since 1990. This historical nest site is several hundred feet to the south of



the Project site and, therefore, well outside of the 100-foot buffer required between new development and historical nest sites of sensitive (special status) raptors by the General Plan (City of Goleta, 2012).

White-tailed kite nest sites can be vacated for a period of years and returned to later for nesting (Holmgren, 2000). The possibility of kites returning to roost or nest at the Los Carneros Wetland cannot be discounted, although it is less likely now that the wetlands are nearly surrounded by residential development and roads. In the Goleta area, kite nest sites have always been adjacent to open space areas with a stable prey base (Holmgren, 2000). Historical nest sites in the Goleta area have been abandoned when adjacent foraging areas have been compromised (Holmgren, 2000). Selected important nesting areas for the white-tailed kite in the Goleta area include Ellwood Mesa, LLCNHP, Coal Oil Point Reserve and nearby undeveloped areas, More Mesa, the East Storke Campus Wetland, and the Goleta Slough.

General Plan Policy CE 8.2 requires that all development be located, designed, constructed, and managed to avoid disturbance or adverse impacts to sensitive (special status) species and their habitats, including nesting, rearing, roosting, foraging, and other elements of required habitats. The City's Environmental Thresholds and Guidelines Manual instructs that a project may result in a significant impact if it substantially fragments, eliminates, or otherwise disrupts foraging areas and/or access to food resources.

The Project site includes 4.74 acres of *Bromus* grassland, 4.17 acres of quailbush scrub, 3.29 acres of coyote brush scrub, and 4.06 acres of upland mustards that likely provide moderate value foraging habitat for raptors, including white-tailed kite. The raptor foraging habitat at the Project site is separated from Bishop Ranch and Lake Los Carneros foraging habitat by U.S. 101 and UPRR tracks. Two important factors influencing habitat quality (i.e., value) for foraging are prey density, as well as habitat features affecting prey accessibility, such as suitable perches (Dunk 1995). A number of prey species including Botta's pocket gophers, California ground squirrels, brush rabbits, various passerines, and western fence lizards, as well as several rodent burrows were observed during the biological surveys of the site in 2010, 2013, 2014, 2015 and 2021. Based on previous environmental analysis, the site has moderate prey availability and foraging value and low-quality nesting habitat (City of Goleta, 2011). The Project site does not contain notable perching habitat for foraging raptors. There are a few medium-sized trees, fences, and tall posts adjacent to the Project site, as well as tall eucalyptus trees to the north, which could serve as perches for foraging raptors. However, these potential perches are generally close to existing development or the traffic and noise of U.S. 101.

The Project site is part of a local wildlife linkage between natural habitats to the north of U.S. 101, the Project site, and Los Carneros Wetland. These habitat connections are expected to have positive effects on the foraging value of the site, as they allow for dispersal of small mammals and other prey species to repopulate the site following population declines. Prey density is in part dependent upon the ability of prey populations to rebound following cyclical declines caused by over-exploitation by predators or catastrophes, such as drought or disease. Habitat connectivity is an important factor affecting the ability of prey populations to rebound. Corridors and connections among habitat areas indirectly support kites as well as other birds-of-prey by maintaining their prey base.

White-tailed kites are known to forage up to tens of kilometers from communal roost sites, so when prey reductions occur at the local level, kites have a sufficiently large daily range that they can find other areas to hunt (Dunk, 1995). When collapse of prey populations occurs at the regional scale, kites can vacate an area until prey populations rebuild at which time kites gradually reoccupy suitable foraging areas, nest sites, and roost locations (Dunk, 1995). The local population of white-tailed kites has fluctuated dramatically presumably in response to prey abundance. Kites are a nomadic species able to adopt new





home bases and vacate long-used areas quite abruptly (Dunk, 1995). The presence and abundance of white-tailed kites is strongly correlated with the presence of meadow voles (Stendell, 1972). California voles (*Microtus californicus*) were not observed, but can be expected to occur at the Project site.

As discussed previously, white-tailed kites formerly nested at the Los Carneros Wetland. If kites were to return to nest at the Los Carneros Wetland, the foraging habitat at the Project site would become of greater importance. Although white-tailed kites are known to forage up to tens of kilometers, they seldom forage more than 0.5-mile from the nest when breeding (Hawbecker, 1942). Henry (1983) found the mean breeding home range to be as low as 0.2-mile. With development of the Project, kites nesting at the Los Carneros Wetland would be able to forage within a 0.5-mile radius of the wetland at the areas within the Goleta Slough Ecosystem south of Hollister Road, and undeveloped fields and native habitats north of U.S. 101.

The Project site is also within a 0.5-mile radius of the natural habitats at LLCNHP, where nesting kites or kites displaying persistent territoriality have been observed in most years since year 1999 (City of Goleta, 2012). Kites have been recorded nesting in the pine trees south of the dam in recent years (Millikan, 2011). Although the Project site is within a 0.5-mile radius of this area, the foraging habitats at the LLCNHP and adjacent undeveloped fields to the north of U.S. 101 are probably of sufficient size and quality to support successful kite breeding. The Project site is outside of the anticipated foraging range of nesting white-tailed kites at other known key nesting areas in the Goleta area (City of Goleta, 2012).

Although the Project site is estimated to contain moderate value foraging habitat for raptors, it is of lesser regional importance given its small size, fragmented condition, proximity to urban development and road right-of-ways, and low native habitat diversity. The Project site is part of a fragmented area of disturbed habitat that is surrounded by development and roads. The Goleta area contains a number of other natural areas that provide comparatively larger expanses and higher value raptor habitat, as evidenced by the documented use and repeated nesting of various species of raptors in these areas (City of Goleta, 2012). For example, quality raptor habitat exists at Ellwood Mesa, LLCNHP, the Goleta Slough, Coal Oil Point Reserve and vicinity, and the Santa Ynez foothills.

Urban development and other land-use conversion have resulted in the removal of substantial amounts of raptor foraging habitat in the Goleta area. Loss of foraging habitat reduces prey abundance and availability, which reduces and limits the number of raptors a given area can support. In general, smaller populations are less resilient to environmental stress (e.g. drought, disease, and fluctuations in prey availability).

*Semi-aquatic Animals and Off-site Aquatic Critical Habitat.* Semi-aquatic species (e.g., California red-legged frog, two-striped garter snake) are not likely to occur in and upstream from the channelized section of Los Carneros Creek adjacent to the Project site, because only a limited band of riparian habitat is present that is adjacent to and subject to noise and vibration disturbances from U.S. 101 and UPRR. The upland areas within 100 feet of the creek include the off-site filled and compacted UPRR tracks, and areas on the Project site ~~that have recently been graded and~~ where fill was deposited and then reseeded in 2013. Areas within 500 feet of the creek are not suitable upland transitional habitat.

Off-site, Los Carneros Creek provides intermittent aquatic habitat; during the dry season flow is low and consists of agricultural and urban runoff (Leydecker, 2006). The creek is designated critical habitat for the southern steelhead, and south of Hollister Avenue for the tidewater goby (*Eucyclogobius newberryi*). However, neither species is anticipated to be present adjacent to the Project site since the riparian area



is separated from the Goleta Slough by 0.41 mile of channelization. Refer to Appendix D for a map of designated critical habitat in the Project vicinity.

Jurisdictional Drainages and Wetlands. No areas defined as wetlands by Federal, State or local policies are located on the Project site. Two previously identified jurisdictional features exist off-site adjacent to Project: 1) Los Carneros Creek, approximately ~~100~~67-feet (measured from the edge of riparian vegetation) north of the northeast corner and channelized east of the Project footprint site; and 2) the Los Carneros Wetland adjacent to S. Los Carneros Road and Hollister Avenue, approximately 80 feet south of the southeastern corner of the Project footprint site. No jurisdictional features are present within the Project site.

Los Carneros Creek riparian habitat, measured to edge of the willow thickets, extends approximately 100 feet wide beyond the limits of the banks where the creek crosses U.S. 101. The potential off-site jurisdictional edge of riparian vegetation begins approximately ~~100~~ 67 feet from the northern Project footprint boundary. During 2015 surveys the ordinary high water mark (OHWM) was not apparent as the creek was obscured by vegetation; the mapping in Figure 4.3-2 reflects the extent of the 2015 riparian vegetation. The off-site drainage is intermittent and does not regularly contain flowing water (Leydecker, 2006). Los Carneros Creek is channelized approximately ~~450~~ 400 feet to the east of the Project footprint site, separated by Aero Camino. Water in Los Carneros Creek flows approximately 1.18 river miles south to its confluence with Tecolotito Creek, then approximately 2.24 river miles through the Goleta Slough to the Pacific Ocean.

As authorized by the USACE 404 Permit (No. 95-50087-DJC) the Los Carneros Wetland is permitted to receive stormwater flows from the Willow Springs I & II development, and the Project site. The northern portion of the Los Carneros Wetland was required to be created to both as mitigation for filling a portion of a wetland on Willow Springs I, and to manage stormwater runoff from Willow Springs I & II and the Project site.

Wildlife Movement Corridors. Wildlife need to access essential habitat for water, foraging, breeding, and cover. Examples of barriers or impediments to movement include housing and other urban development, roads, fencing, unsuitable habitat, or open areas with little vegetative cover. “Wildlife corridor” is a term commonly used to describe linkages between discrete areas of natural habitat that allow movement of wildlife for foraging, dispersal, and seasonal migration.

The Project site is in a highly urbanized area. At the regional/landscape level scale, the City is not within any mapped landscape models, such as an Essential Connectivity Area or Natural Landscape block in the *California Essential Habitat Connectivity Project: A Strategy for Conserving a Connected California* (Spencer, et al. 2010). Recent EIRs analyzed potential impacts to wildlife corridors for proposed residential projects adjacent to Los Carneros Road and south of U.S. 101: Willow Springs II, to the east of Los Carneros Road (City of Goleta, 2011), and the Village at Los Carneros (City of Goleta 2014), to the west of Los Carneros Road. Tecolotito Creek is recognized as ESHA under the General Plan and considered a wildlife corridor for mammal species that travel between the Santa Ynez Mountain foothills and the Santa Barbara Airport and greater Goleta Slough (Dudek, 2014b). Los Carneros Creek that connects areas north of U.S. 101 to the Goleta Slough is a poor wildlife linkage providing minimal wildlife habitat. The “stormwater culvert” consists of an approximate 2,000-foot concrete-lined flood control channel with steep walls and 6-foot high chain-link fences at the top-of-slope (west and east) bordering the channel. The Project site was evaluated as an alternative wildlife movement corridor, from the Los Carneros Creek culvert under



U.S. 101, through the Project site and Los Carneros Wetland, below Hollister Avenue, and to the Goleta Slough (City of Goleta, 2011; Figure 4.3-3).<sup>4</sup>

The General Plan does not specifically define “wildlife corridors” or “habitat networks” which as discussed below, are protected under the General Plan. A wildlife movement corridor was defined by the City in the Willow Springs EIR as:

*“...physical connections that allow wildlife to move between patches of suitable habitat in both undisturbed landscapes, as well as environments fragmented by urban development. Large areas of suitable habitat and corridors between these areas are necessary to maintain healthy ecological and evolutionary processes. For example, wildlife movement corridors are necessary for dispersal and migration, to ensure the mixing of genes between populations, and so wildlife can respond and adapt to environmental stress.”*

The *Wildlife Corridor Analysis for the Heritage Ridge Project* (Appendix D) further defines wildlife movement between core areas and/or habitat patches as wildlife corridors and linkages:

*Habitat Linkage: An area which possesses sufficient cover, food, water and/or other essential elements to serve as a movement pathway between two or more large areas of habitat. An example of a linkage would be a belt of coastal sage scrub traversing a development, and connecting suitable habitat areas on either side of the developed area.*

*Wildlife Corridor: Areas of open space of sufficient width to permit larger, more mobile species to pass between larger areas of open space (core habitats), or to disperse from one major core habitat to another. Such areas can be several hundred feet wide, unobstructed, and usually possess cover, food and water.*

The Willow Springs II EIR identified two biologically significant ecological habitat “patches” in the area, the Santa Ynez Mountains and the Goleta Slough. The latter, the Goleta Slough, has become isolated from the “core habitats” of the Santa Ynez Mountains due to urban expansion in the City. Several creeks connect these two ecological areas, including Tecolotito (Glen Annie), Los Carneros, San Pedro, Las Vegas, San Jose, and Marie Ignacio. Tecolotito Creek has been determined to be one of four primary corridors in the Goleta Valley with sufficient culvert sizes to allow for movement of larger mammals (i.e., deer and black bears) (Hoagland et al., 2011; City of Goleta 2012). However, in the Village of Los Carneros FEIR, the City (2014) noted that the largest species to move through Tecolotito Creek and its culverts are foxes (*Vulpes* spp.) and the American badger, and found the 110-foot total minimum width (60 feet for the Tecolotito Creek ESHA and 50 feet for adjacent upland habitat) proposed for the Los Carneros Village project was sufficient for wildlife species utilizing corridor (City of Goleta, 2014c). Based on literature, existing regional data, and site-specific studies, Tecolotito Creek and its culverts provide the best option for wildlife movement between the Santa Ynez Mountain foothills and the Goleta Slough on Santa Barbara Airport property.

In 2014 and 2013, wildlife camera studies were conducted, as summarized in the *Wildlife Corridor Analysis for the Heritage Ridge Project* (Appendix D). The study found evidence of a wildlife linkage between the Santa Ynez Mountain foothills and the Los Carneros Wetlands through the Heritage Ridge Project site and no linkage between the Los Carneros Creek or Wetlands and the greater Goleta Slough on the Santa

---

<sup>4</sup> The wildlife analysis shown in Figure 4.3-3 of the Willow Springs II EIR does not account for the existing cultural resource fencing present in the project site.



Barbara Airport. This on-site wildlife linkage is important for many small- (raccoon, striped skunk, etc.) and medium- (coyote and bobcat) sized mammal species that use these areas (wetlands and foothills) to hunt, seek shelter, breed, and conduct other normal behaviors important for their survival, especially within the wilderness-urban interface. The study confirmed that the Hollister Avenue culvert at Tecolotito Creek offers the most ideal wildlife access point to the Goleta Slough on Santa Barbara Airport property. Another possible wildlife linkage exists to the east connecting to Las Vegas Creek at the Twin Lakes Golf Course, which also connects to the Goleta Slough, although with impediments. The expected end point of the linkage for most wildlife species traveling to the east may be the golf course for hunting opportunities.

Local Policies and Ordinances. Natural resources are regulated and protected through the Conservation Element (CE) of the General Plan, which contains policies aimed at protecting ESHAs that are generally mapped in Figure 4.1 of the General Plan (Figure 4.3-2). The General Plan provisions are also included in the City's Zoning Ordinance through the ESHA Goleta Overlay (Section 35-250B).<sup>5</sup> However, the Project application was deemed complete prior to April 2020, when the New Zoning Ordinance (Title 17) took effect in. Therefore, the Project is being processed under the previous zoning code (Article III, Inland Zoning Code). Policies in the CE reinforce State and Federal regulations that protect special-status habitats and species and apply additional local restrictions to identify, preserve, and protect the City's biological resources. Below is a summary of each ESHA type mapped on or near the Project site (See Figures 4.3-2 and 4.3-3), and the text of the policies that regulate these resources.

A portion of the Project site that contains coyote brush scrub is currently designated an ESHA pursuant to the City's General Plan. It is mapped on Figure 4-1 of the Conservation Element as "sage scrub" on the northeast corner of the Project site in the approximate areas fenced for cultural resources, as shown in Figure 4.3-2. Pursuant to CE Policy 1.5, an ESHA designation may be removed if a site-specific biological study contains substantial evidence that an area previously shown as an ESHA on Figure 4-1 does not contain habitat that meets the definition of an ESHA (excluding illegal removal). If the City Council determines that the area is not an ESHA, a map modification will be included in the next General Plan/Coastal Land Use Plan amendment. Please refer to Appendix D, Biological Resource Appendix, Attachment F, *Technical Review of Coastal Sage Scrub Environmentally Sensitive Habitat Area for the North Willow Springs Project* (Dudek, 2014a), for a site-specific biological study and substantial evidence regarding the ESHA designation. The area originally designated ESHA also extended onto Willow Springs II; refer to Figure 4-1 City's General Plan Conservation Element (Figure 4.3-3). A General Plan Amendment removing the sage scrub ESHA designation from Willow Springs II was approved by the Goleta City Council on June 17, 2014.

The coastal sage scrub on the Project site mapped under the City's General Plan was not mapped as ESHA under the County's 1993 Goleta Community Plan (County of Santa Barbara, 1993). The on-site ESHA was mapped as "Various Annual Grasslands" a habitat type in 2004 under the city-wide Detailed Habitat Inventory (City of Goleta, 2004b). The 2006 General Plan EIR maps the on-site ESHA as "scrub." However, "coyote brush scrub" is not considered ESHA under the Programmatic General Plan EIR (City of Goleta, 2006, Page 3.4-10). A description of the coyote brush scrub is provided under Section 4.3.1. Based on the historical mapping, 2014 Dudek Study, and confirmation in 2015 by Rincon biologists the onsite coyote brush scrub is not an ESHA resource, and was not ESHA under any previous plans or designations.

---

<sup>5</sup> The City's zoning regulations also include a Riparian Corridor Goleta overlay (Inland Zoning Ordinance, as adopted by the Goleta Municipal Code, Section 35-250C (RC-Gol)), but it only applies to rural agriculturally designated parcels; the existing and Project site land use designation is urban.



The General Plan CE Policy 5.3 defines coastal sage scrub habitat as a drought-tolerant, Mediterranean habitat characterized by soft-leaved, shallow-rooted subshrubs such as California sagebrush (*Artemisia californica*), coyote brush (*Baccharis pilularis*), and California encelia (*Encelia californica*) ~~goldenbush (*Ericameria ericoides*), giant wild rye (*Elymus condensatus*), and annual non-native grasses~~. Of these species only coyote brush was observed as dominant or codominant within the mapped on-site ESHA. The National Vegetation Classification Hierarchy as Applied to California Vegetation identifies coastal sage scrub as a macrogroup of multiple alliances, none of which includes coyote brush as the dominant alliance species. Under General Plan CE Policy 5.3 coastal sage scrub habitat must have both the compositional and structural characteristics of coastal sage scrub as described in a classification system recognized by the CDFW. However, no other characteristic coastal sage scrub species was observed as occurring even infrequently or sparsely (< 8% cover) by Rincon or Dudek biologists.

*Coastal Sage Scrub ESHA.* The coyote brush scrub does not meet City's General Plan Policy CE 1.1a or CE 1.1b definitions of ESHA, and is not "rare or especially valuable because of its special nature or role in an ecosystem," when considering the following conditions:

- Coyote brush scrub is a common plant community. Coyote brush scrub receives the lowest rarity ranking (G5S5) and is not considered sensitive by the State of California (CDFW, 2020~~10~~);
- The coyote brush scrub at the site is disturbed, contains high cover of invasive species, low native plant species diversity, and has become established at the site relatively recently since the area was last graded. The site has been subject to agricultural activity related earth disturbance for much of the last 100 years;
- Threatened, endangered, or other special status wildlife species are not expected to reproduce at the site, and the site is not essential to the life-cycle of any listed wildlife species;
- Threatened, endangered, or other special status plant species have not been found at the site, and are not expected due to prior grading and agricultural use, as well as the site's existing disturbed condition; and
- The coyote brush scrub is within an urban area, adjacent to existing industrial and residential development, and is not contiguous with native habitats.

Therefore, although according to Figure 4-1 in the Conservation Element of the Goleta General Plan the Project site contains coastal sage scrub ESHA, habitat that meets ESHA criteria was not observed within the Project site boundary or nearby areas.

The coyote brush scrub does not meet the criteria in relevant City's General Plan policies to be considered an ESHA or coastal sage scrub; and therefore, would not be subject to the ESHA protection policies of the General Plan. Conservation Element Policy CE 1.5: *Corrections to Map of ESHAs* allows ESHAs to be removed from Figure 4-1 of the General Plan if a site-specific biological study demonstrates substantial evidence that the area does not in fact contain habitat that meets the definition of an ESHA. The Project includes a General Plan Amendment to remove the Coastal Sage Scrub ESHA designation that is being concurrently processed. For further details, refer to Appendix D *Technical Review of Coastal Sage Scrub Environmentally Sensitive Habitat Area for the North Willow Springs Project*.

*Stream Protection Area ESHA.* The riparian habitat associated with the Los Carneros Creek adjacent the northeast property line is mapped as a Stream Protection Area (SPA) ESHA, thereby warranting a 100-foot buffer under CE Policy CE 2.2.



*Wetland ESHA.* The Los Carneros Wetland begins approximately 80 feet from the southeast portion of the Project site, and is designated ESHA pursuant to General Plan Conservation Element Figure 4-1 and General Plan CE Policy the 3.5 *Protection of Wetlands Outside the Coastal Zone*. A buffer evaluation is required under Policy CE 3.5; the policy requires a minimum buffer of 50 feet.

The Los Carneros Wetland is an approximate 7.25-acre open space area located north of Hollister Avenue, east of Los Carneros Way, and southwest of the residential units at Willow Springs I. It is approximately 600 feet southwest of the Willow Springs II project. The GSEMP considered the Los Carneros Wetland a major subarea of the Goleta Slough Ecosystem. The Los Carneros Wetland is a rare, surviving remnant freshwater-to-estuarine transitional habitat at the northern edge of the Goleta Slough. It contains areas of brackish and freshwater marsh, as well as willow-dominated, palustrine scrub-shrub/forested wetlands that were once part of a continuous corridor connecting Lake Los Carneros and the Goleta Slough. The site has historically supported nesting and roosting white-tailed kites. The wetland is also known as a roosting and foraging habitat for the northern harrier, short-eared owl, sharp-shinned hawk, and Cooper's hawk, and supports the only Goleta Valley location for yerba mansa (*Anemopsis californica*), a locally important species according to the GSEMP. The Los Carneros Wetland is upstream from and connected to the Goleta Slough through a small culvert traversing north-south beneath Hollister Road. The Los Carneros Wetland serves as an approved detention area and bio-filter for stormwater flows from the existing Willow Springs I and II developments, and the Project. Refer to Section 4.8, *Hydrology and Water Quality*, and the Preliminary Hydraulic Report and Preliminary Stormwater Control Plan in Appendix G for additional information regarding Project drainage.

*General Plan Policies.* Below is a summary of the biological resource policies in the CE that could potentially apply to the Project. The full text of the biological resource policies are included in Appendix D.

- *Policy CE 1: Environmental Sensitive Habitats Area Designation and Policy.*

Impacts directly to ESHA, as opposed to an ESHA buffer, do not apply since no ESHA is present onsite and the existing designation would be removed. The key protections and guidelines are stated in Policy CE 1, which for this project only includes those applicable to ESHA buffers since the Project site is within 100 feet of the Los Carneros Wetland and Los Carneros Creek SPA. Per Policy 1.9 development adjacent to ESHA is subject to the following standards:

- Site designs shall preserve wildlife corridors or habitat networks.
- Site plans and landscaping shall be designed to protect ESHAs, with priority given to protecting, supporting, and enhancing wildlife habitat values. Planting of nonnative invasive species is prohibited in ESHAs and ESHA buffers.
- All new development shall be sited and designed to minimize grading, alteration of natural landforms and physical features, and vegetation clearance in order to reduce or avoid soil erosion, creek siltation, increased runoff, and reduced infiltration of stormwater and to prevent net increases in baseline flows for any receiving water body.
- Light and glare will be controlled and directed away from wildlife habitat. Exterior night lighting shall be minimized, restricted to low intensity fixtures, shielded, and directed away from ESHAs.



- Noise levels from new development should not exceed an exterior noise level of 60 Ldn at the habitat site. During construction, this level may be exceeded if it can be demonstrated that significant adverse impacts on wildlife will be avoided or will be temporary.
- The timing of grading and construction activities shall be controlled to minimize potential disruption of wildlife during critical time periods such as nesting or breeding seasons.
- Grading, earthmoving, and vegetation clearance adjacent to an ESHA shall be prohibited during the rainy season, generally from November 1 to March 31, except where necessary to protect or enhance the ESHA or to remediate hazardous flooding hazardous geologic conditions.

Wildlife corridors are protected under CE Policy 1.9. A local wildlife linkage has been identified on the Project site, as discussed under Section 4.3.1.b (above).

- *Policy CE 2: Protection of Creek and Riparian Areas.*

Policy CE 2.2, designated Streamside Protection Areas (SPA), requires a 100-foot buffer from Los Carneros Creek, shown in Figure 4.1 (Figure 4.3-3). SPA buffers may be adjusted up to 25 feet based on a site-specific assessment during environmental review in coordination with the City 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.”<sup>6</sup> The riparian habitat associated with Los Carneros Creek, located approximately 100 feet from the northeast Project footprint, is mapped as an SPA ESHA, thereby warranting a 100-foot buffer under Policy CE 2.2. The Project has been designed to meet the 100-foot setback requirement. See Impact BIO-5 in Section 4.3.2 (below) for a buffer recommendation from off-site Los Carneros Creek.

- *Policy CE 3: Protection of Wetland.*

The off-site Los Carneros Wetland, which was previously identified as an USACE wetland (i.e., hydrophytic vegetation, hydrology, and soils) is protected under Policy CE 3.2, as discussed in Impact BIO-5 in Section 4.3.2.b (below).

- *Policy CE 8: Protection of Special-Status Species.*

Nesting and roosting habitat for raptors are protected as ESHA in the under Policy CE 8. No historical raptor nests are mapped nor were raptor nests observed in suitable eucalyptus tree habitat; therefore raptor nest ESHA is not present and this policy does not apply.

- *Policy CE 9: Protection of Native Woodlands.*

Within the City there is currently no specific Tree Protection Plan or Ordinance adopted. Protection of trees within the City is regulated by Section 4.0, CE 9 of the General Plan, the Goleta Municipal Code Appendix A Grading Ordinance Guidelines for Native Oak Tree Removal (GMC), and the Draft State of the Goleta Urban Forest Report: An Urban Resource

---

<sup>6</sup> Measured from the top of the bank or the outer limit of wetlands and/or riparian vegetation, whichever is greater.





Assessment for the City of Goleta (dated November 17, 2009; herein referred to as the Goleta Urban Forest Report). The General Plan contains policies for the preservation of native trees including oaks (*Quercus* spp.), walnut (*Juglans californica*), California sycamore, cottonwood (*Populus* spp.), willows (*Salix* spp.) and other native trees found in ESHAs (General Plan Policy CE 9: Protection of Native Woodlands). However, per the GMC Part III – Program Basics trees voluntarily planted (e.g., landscape trees), regardless of species, are not protected. Landscape trees may be replaced. Three willow trees are present on site and would be replaced at a ratio of 10:1 as required by the Project-specific Conditions of Approval. No native trees are present on-site or are proposed for removal, and aAlteration of the planted sycamores present along the western boundary would not conflict with this policy. Willows and eucalyptus tree are present off-site, but would not be directly affected by the Project.

- *Policy CE 10: Watershed Management and Water Quality.*  
Provisions of Policy CE 10 that apply to the Project include Policy 10.3, Incorporation of Best Management Practices for Stormwater Management, CE 10.6, Stormwater Management Requirements, and Policy CE 10.7, Drainage and Stormwater Management Plans. Additionally, Policy CE 10, Landscaping to Control Erosion, specify erosion control landscaping specifics.

**c. Regulatory Setting.** The following is a brief summary of the regulatory context under which biological resources are managed at the federal, state, and local levels. A number of federal and state statutes provide a regulatory structure that guides the protection of biological resources.

Federal.

*Endangered Species Act of 1973.* The Federal Endangered Species Act (ESA) and implementing regulations (16 United States Code §§ 1531, *et seq.*; 50 Code of Federal Regulations §§ 17.1, *et seq.*) include provisions for the protection and management of federally listed threatened or endangered plants and animals and their designated critical habitats. The ESA requires a permit to take threatened or endangered species during lawful project activities. The administering agency is the USFWS for terrestrial, avian, and most aquatic species.

*Fish and Wildlife Coordination Act.* Section 7 of Fish and Wildlife Coordination Act (16 U.S.C., § 742a, *et seq.*, 16 U.S.C., § 1531, *et seq.*, and 50 C.F.R. § 17.1, *et seq.*) require consultation if any project facilities could jeopardize the continued existence of an endangered species. Applicability depends on federal jurisdiction over some aspect of the project (e.g., dredge or fill activities in “waters of the US”). The administering agency is typically the USACE in coordination with the USFWS.

*Migratory Bird Treaty Act of 1918.* The Migratory Bird Treaty Act (16 U.S.C. §§ 703-711) includes provisions for protection of migratory birds, which prohibits the taking of migratory birds under the authority of the USFWS and CDFW.

*Clean Water Act of 1977, Section 404.* This section of the Clean Water Act (33 U.S.C. §§ 1251, *et seq.*, 33 C.F.R. §§ 320 and 323) gives the USACE authority to regulate discharges of dredge or fill material into waters of the US, including wetlands. The Project site is included under the development area specified in 404 Permit No 95-50087 The Willow Springs I & II Wetland Mitigation Plan which was approved by the USACE requires the Los Carneros Wetland be used to retain storm water runoff to improve wetland hydrology, and is required to be maintained in perpetuity as a wetland in accordance with the USACE 404 Permit No 95-50087.



State.

*California Endangered Species Act of 1984.* The California Endangered Species Act and implementing regulations in the Fish and Game Code §§ 2050 through 2098, include provisions for the protection and management of plant and animal species listed as endangered or threatened, or designated as candidates for such listing. The Act includes a consultation requirement “to ensure that any action authorized by a State lead agency is not likely to jeopardize the continued existence of any endangered or threatened species...or result in the destruction or adverse modification of habitat essential to the continued existence of the species” (Fish and Game Code § 2090). Plants of California declared to be endangered, threatened, or rare are listed within the California Code of Regulations (C.C.R.) Title 14, Section 670.2. Animals of California declared to be endangered or threatened are listed at 14 CCR Section 670.5. 14 C.C.R. §§ 15000, *et seq.* describes the types and extent of information required to evaluate the effects of a project on biological resources of a project site.

*California Species Preservation Act 1970: California Fish and Game Code §§ 900 – 903.* This law includes provisions for the protection and enhancement of the birds, mammals, fish, amphibians, and reptiles of California, and is administered by the CDFW.

*Fish and Game Code.* The Fish and Game Code provides specific protection and listing for several types of biological resources, including:

- *Fully Protected Species*
- *Streams, rivers, sloughs, and channels*
- *Significant Natural Areas*
- *Designated Ecological Reserves*

Fully Protected Species are listed in Fish and Game Code §§ 3511 (fully protected birds), 4700 (fully protected mammals), 5050 (Fully Protected reptiles and amphibians), and 5515. The Fish and Game Code of California prohibits the taking of species designated as Fully Protected.

Fish and Game Code Section 1600 requires a Streambed Alteration Agreement for any activity that may alter the bed and/or bank of a stream, river, or channel. Typical activities that require a Streambed Alteration Agreement include excavation or fill placed within a channel, vegetation clearing, structures for diversion of water, installation of culverts and bridge supports, cofferdams for construction dewatering, and bank reinforcement.

Fish and Game Code Section 1930 designates Significant Natural Areas. These areas include refuges, natural sloughs, riparian areas, and vernal pools and significant wildlife habitats. An inventory of Significant Natural Areas is maintained by the CDFW Natural Heritage Division and is part of the NDDB. Fish and Game Code Section 1580 lists Designated Ecological Reserves. Designated Ecological Reserves are significant wildlife habitats to be preserved in natural condition for the general public to observe and study.

Fish and Game Code Sections 2081(b) and (c) allow CDFW to issue an incidental take permit for a State listed threatened and endangered species only if specific criteria are met. These criteria can be found in 14 C.C.R. § 783.4(a) and (b). No Section 2081(b) permit may authorize the taking of “fully protected” species and “specified birds.” If a project is planned in an area where a fully protected species or specified bird occurs, an applicant must design the project to avoid all takings; the CDFW cannot authorize takings



under these circumstances. Fish and Game Code Section 3503 specifies that it is unlawful to take, possess, or needlessly destroy the nest of any bird, except as otherwise provided by this code. Fish and Game Code Section 3503.5 specifies it is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey), to take, possess, or needlessly destroy the nest of any such bird, except as otherwise provided.

*CEQA and CEQA Guidelines.* The CEQA Guidelines provide a framework for the analysis of impacts to biological resources. The administering agency is the CEQA Lead Agency, which is in this case the City of Goleta.

*Native Plant Protection Act of 1977.* The Native Plant Protection Act of 1977 and implementing regulations in Fish and Game Code §§ 1900, *et seq.* designates rare and endangered plants and provides specific protection measures for identified populations. It is administered by the CDFW.

*Public Resources Code Sections 25500 & 25527.* These code sections prohibit the siting of development in certain areas of critical concern for biological resources, such as ecological preserves, wildlife refuges, estuaries, and unique or irreplaceable wildlife habitats of scientific or educational value. If there is no alternative, strict criteria are applied under the authority of the CDFW.

#### Local.

*City of Goleta General Plan/Coastal Land Use Plan (amended 2021).* The Goleta General Plan includes policies that protect and preserve biological resources within the City by designating specific resources and areas as protected, including ESHAs, restricting activities and uses in protected areas, providing for the management of the resources on City lands, specifying impact avoidance and mitigation requirements for types of activities and by type of biological resource, and providing guidance for development and conservation decisions over the long-term. The policies anticipate the potential impacts to biological resources from the land uses and activities that will occur under the Goleta General Plan and serve to avoid, reduce, and/or mitigate those impacts. The key policies regarding biological resources are in the Conservation Element that pertain to the Project are discussed under Section 4.1.3.b, *Local Policies and Ordinances.*

### 4.3.2 Impact Analysis

**a. Methodology and Significance Thresholds.** The analyses in this portion of the EIR are based on the methodology described above under Section 4.1.1, *Project Site Setting.*

CEQA Guidelines Appendix G. In accordance with Appendix G of the CEQA Guidelines, the project would have a significant impact on biological resources if it would:

1. *Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service;*
2. *Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service;*



3. *Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means;*
4. *Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites;*
5. *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or*
6. *Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.*

The Project is not subject to an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan. Therefore, the Project would have no impact with respect to Threshold 6. This issue is discussed in Section 4.17, *Effects Found Not to be Significant*.

City of Goleta Environmental Thresholds and Guidelines Manual. The City of Goleta's *Environmental Thresholds and Guidelines Manual* defines the following thresholds of significance:

*Types of Impacts to Biological Resources*. Disturbances to habitats or species may be significant, based on substantial evidence in the record, if they substantially impact significant resources in the following ways:

- a. *Substantially reduce or eliminate species diversity or abundance.*
- b. *Substantially reduce or eliminate quantity or quality of nesting areas.*
- c. *Substantially limit reproductive capacity through loss of individuals or habitat.*
- d. *Substantially fragment, eliminate, or otherwise disrupt foraging areas and/or access to food resources.*
- e. *Substantially limit or fragment range and movement (geographic distribution of animals and/or seed dispersal routes).*
- f. *Substantially interfere with natural processes, such as fire or flooding, upon which the habitat depends.*

*Less Than Significant Impacts*. The *Environmental Thresholds and Guidelines Manual* provides examples of areas in the City of Goleta where impacts to habitat are presumed to be less than significant, including:

- *Small acreages of non-native grassland if wildlife values are low*
- *Individuals or stands of non-native trees if not used by important animal species such as raptors or monarch butterflies*
- *Areas of historical disturbance such as intensive agriculture*
- *Small pockets of habitats already significantly fragmented or isolated, and disturbed or degraded*
- *Areas of primarily ruderal species resulting from pre-existing man-made disturbance*



**b. Project Impacts and Mitigation Measures.**

**Impact BIO-1** **Biological surveys of the site identified a lack of special status plant species or suitable habitat for special status wildlife species. However, the Project site contains habitat that could support nesting and/or foraging birds protected under state and federal law. Impacts on sensitive species are Class II, *significant but mitigable [Threshold 1]*.**

No special status plant species are expected to be impacted by the Project. Twenty-five special status wildlife species have low potential to occur based on the absence of suitable habitat and ongoing disturbance (Appendix D). No special status terrestrial species are expected to be significantly impacted by the Project and no further analysis of special status terrestrial species is included within this report. Sensitive avian species may forage at the Project site, but are not expected to reproduce thereon due to a lack of suitable nesting habitat. Foraging species are highly mobile could move to other suitable foraging sites; therefore, the proposed Project is not expected to directly impact foraging birds.

There are no historical records or observations of active raptor nests or communal roosts at the Project site or within 100 feet. No raptors have potential to nest at the Project site due to lack of suitable nesting habitat, such as tall trees or suitable man-made structures. The Project site also lacks habitat for turkey vulture, white-tailed kite or other species that roosts communally. Therefore, development of the Project would not substantially reduce or eliminate quantity or quality of raptor nesting or communal roosting areas.

As discussed above, the scrub and non-native grassland likely provides limited low-quality foraging habitat for raptors, including white tailed kites known to roost at Lake Los Carneros located approximately 700 feet north of the Project site. On an incremental basis, development of the Project would result in the permanent loss of approximately 13.27 acres of suitable foraging habitat for raptors. As discussed under section 4.3.1, the foraging habitat at the Project site is not essential for the successful breeding of raptors nesting in the Goleta Valley. As discussed in Section 4.3.1.b, the Project site lacks suitable perches and nesting habitat, foraging habitat has been subject to ongoing disturbance, the site is fragmented by existing development and infrastructure, and higher value foraging habitat is available in the Project site vicinity (e.g., Lake Los Carneros). Therefore, development of the Project would not substantially limit reproductive capacity of raptors through loss of foraging habitat.

The undeveloped areas 0.2-mile north of the Project site including Los Carneros Lake and west-adjacent open space would continue to provide moderate value foraging habitat for raptors, including for the white-tailed kite if this species were to nest at the Los Carneros Wetland. The incremental loss of 13.47 acres of suitable foraging habitat would not have a significant effect on regional raptor populations, as 13.47 acres represents a small percentage of the raptor foraging habitat in the Goleta area when considering the vast amount of open space available for raptor foraging. Also, the Project site is of lower importance to raptors when compared to the larger and more diverse natural habitats in the Goleta area that offer much greater foraging opportunities with a higher diversity of prey. For example, suitable foraging habitat exists at Ellwood Mesa, Bishop Ranch, Los Carneros Lake, Santa Barbara Municipal Airport and Goleta Slough, and UCSB areas, as well as at additional undeveloped private lands throughout the City and unincorporated County. Raptors are mobile species with generally large home ranges that are capable of compensating for the loss of small acreages of foraging habitat in a local area by moving to other suitable foraging habitats. The Fully Protected white-tailed kite, for example, is known to forage up to tens of kilometers from communal roost sites, and may become nomadic in response to food shortages.



Therefore, development of the Project would not substantially eliminate raptor foraging areas or access of raptors to food resources when considering the amount of available open space in the natural open space areas mentioned above. Impacts to raptors from the loss of marginal foraging habitat are less than significant.

As detailed in Appendix D, the nests of most native birds and raptors with potential to occur in the area are State and/or federally protected. The Project has potential to result in indirect impacts to nesting birds, including passerine species protected under the MBTA, if they are nesting within the Project site and/or immediate vicinity during construction activities. Nesting birds may potentially occur within shrub vegetation on and adjacent to the Project site, and in trees along Los Carneros Creek. No suitable raptor nesting habitat is present in Project site, however suitable nesting habitat is present in the eucalyptus trees to the north of the Project site Adjacent to U.S 101. As discussed under Section 4.3.1.b in the context of General Plan Policy 8.4, no historical raptor nests have been identified or recorded in the Project vicinity, and no nests were identified during surveys of adjacent eucalyptus woodland habitat at the appropriate time of year. Impacts to nesting birds resulting from implementation of the Project are potentially significant. Implementation of Mitigation Measure BIO-1 would reduce potential new indirect short-term construction impacts to the nesting birds and raptors to a less than significant level by establishing avoidance buffers around nests when construction occurs during the nesting season.

**Mitigation Measure.** The following mitigation measure is required to reduce potential impacts to nesting birds to a less than significant level. Mitigation Measure BIO-1 is drawn from the Biological Resources Assessment in Appendix D.

**BIO-1 Nesting Birds and Raptors.** To avoid construction impacts to nesting birds and raptors, vegetation removal and initial ground disturbance must occur outside the bird and raptor breeding season, which is typically February 1 through September 1 (January 1 through September 1 for some raptors), but can vary based on local and annual climatic conditions. If construction must begin within the breeding season, then not more than two weeks before ground disturbance and/or vegetation removal commences, a bird and raptor pre-construction survey must be conducted by a City-approved biologist within the disturbance footprint plus a 300-foot buffer, as feasible. If the Project is phased, a subsequent pre-construction nesting bird and raptor survey is required before each phase of construction within the Project site. If no raptor or other bird nests are observed no further mitigation is required.

Pre-construction nesting bird and raptor surveys must be conducted during the time of day when bird species are active and be of sufficient duration to reliably conclude presence/absence of nesting birds and raptors within the 300-foot buffer. A report of the nesting bird and raptor survey results, if applicable, must be submitted to the Planning and Environmental Review Director, or designee, for review and approval not more than one week before commencing ground disturbances.

If active nest of species protected by CFG Code 3503 or the MBTA Migratory Bird Treaty Act protected bird nests are found within 300 feet of the Project site, their locations must be flagged and then mapped onto an aerial photograph of the Project site at a scale no less than 1"=200' and/or recorded with the use of a GPS unit. If active raptor nests are detected the map will include topographic lines, parcel boundaries, adjacent roads, known historical nests for protected nesting species, and known



roosting or foraging areas, as required by Conservation Element Policy 8.3 of the Goleta Community Plan / Coastal Land Use Plan. If feasible, the buffer must be 300 feet in compliance with Conservation Element Policy CE 8.4 of the Goleta General Plan/Coastal Land Use Plan. If the 300-foot buffer is infeasible, the City approved biologist may reduce the buffer distance as appropriate, dependent upon the species and the proposed work activities. If any active *non-raptor* bird nests are found, a suitable buffer area (varying from 25-300 feet), depending on the species, must be established by the City approved biologist. No ground disturbance can occur within the buffer until the City-approved biologist confirms that the breeding/nesting is completed and all the young have fledged. Alternately, a City approved biologist must monitor the active nest full-time during construction activities within the buffer to ensure Project activities are not indirectly impacting protected nesting birds and raptors.

**Plan Requirements and Timing:** Not more than one week before ground disturbances commence, including exporting of soil, the Planning and Environmental Review Director, or designee, must verify that construction and grading is occurring outside the nesting season, or that nesting bird and raptor surveys have been conducted, and buffer requirements specified above are in place (if applicable). This measure, and any buffer requirements, must be incorporated into the grading plans for the Project.

**Monitoring:** The Planning and Environmental Review Director, or designee, must verify compliance not more than one week before ground disturbances commence and conduct periodic site inspections to ensure compliance throughout the construction period.

**Residual Impact.** Construction and operational direct and indirect Project impacts on sensitive species from would be less than significant with Mitigation Measure BIO-1 requiring nesting bird and raptor surveys for ground disturbance during the nesting season. With the implementation of this measure, impacts would be reduced to a less than significant level.

**Impact BIO-2** **No riparian habitat or sensitive community is present on-site; therefore, no direct impact to will occur. Indirect Impacts to off-site sensitive community from the introduction of invasive species would be Class II, significant but mitigable [Threshold 2].**

Vegetation at the Project site consists of coyote brush scrub, quailbush scrub, or ruderal/disturbed areas that consist overwhelmingly of non-native grasses and forbs. These communities are not considered sensitive nor do they qualify as ESHA as previously described in Section 4.3.1.b. The Project site is outside the County High Fire Hazard Area and the City's Wildland Fire Hazard Area; therefore, the Santa Barbara County Fire Protection District is not anticipated to require off-site fuel modification. Indirect dust impacts to sensitive and riparian communities (i.e., willow thickets) in the Los Carneros Creek SPA would be addressed through adherence to Santa Barbara County Air Pollution Control District requirements.

Invasive plant species are non-native organisms that escape into surrounding ecosystems, where they become established and proliferate. Many invasive species form monocultures (dense stands of one plant) that push out native species and impair wildlife habitat (Cal-IPC, Invasive Plant Definitions, 2015). Some invasive species also can change fundamental processes in ecosystems including the hydrologic cycle, fire





regimes, and soil chemistry. The planting of nonnative, invasive species reduces the available habitat for native plant and wildlife species within the Project limits and may cause the spread of invasive species to adjacent areas, including the Los Carneros Wetland where Project site stormwater runoff is eventually detained. Similarly, the use of nonnative, invasive species in erosion control seed mixes on stockpiles during construction would potentially cause the spread of invasive species to adjacent areas along Los Carneros Creek and Los Carneros Wetland.

According to the Project's Preliminary Landscape Plan, no species proposed are listed as invasive by the California Invasive Plant Council (Cal-IPC). However, if nonnative, invasive species are sometimes used in seed mixes to control erosion, which could disseminate into adjacent natural areas along Los Carneros Creek and Los Carneros Wetland. Impacts to off-site sensitive communities from the introduction of invasive species would be potentially significant, but mitigable.

**Mitigation Measures.** The following mitigation measures are required to reduce potential indirect impacts off-site sensitive communities from introduction of invasive species to a less than significant level.

**BIO-2 Invasive Species Seeding and Landscaping.** Nonnative, invasive plant species cannot be included in any erosion control seed mixes and/or landscaping plans associated with the Project. The California Invasive Plant Inventory Database contains a list of nonnative, invasive plants (California Invasive Plant Council [Updated 2017] or its successor).

**Plan Requirements and Timing:** Before the City issues a Zoning Clearance, the applicant secure approval of a final landscape plan from the Design Review Board.

**Monitoring:** The Planning and Environmental Review Director, or designee, must verify compliance before the City issues a Zoning Clearance. Before the City issues a certificate of occupancy, the Planning and Environmental Review Director, or designee, must inspect landscape plantings features to ensure that they have been installed consistent with approved plans.

**Residual Impact.** Implementation of Mitigation Measure BIO-2 prohibiting invasive and exotic species would reduce indirect invasive species impacts to off-site sensitive communities to a less than significant level.

**Impact BIO-3 No jurisdictional water or wetlands are present on-site. Therefore, no direct impacts will occur. Indirect Impacts to off-site waters and wetlands would be Class III, less than significant [Threshold 3].**

No areas defined as wetlands by federal, State or local policies are located on the Project site. The Project would have no direct impacts to off-site riparian vegetation or Los Carneros Creek jurisdictional waters, since development is proposed greater than 100 ~~67~~ feet from the edge of vegetation of Los Carneros Creek off-site, and is hydrologically separated by the filled and compacted UPRR track.

Drainage from the Project site would be directed to previously constructed storm drains as part the Willow Springs I & II development, and ultimately drain to the existing retention basin located along the southwest boundary of Willow Springs I in Los Carneros Wetland, as approved by resource agencies as part of Willow Springs I & II (MAC Design Associates, 2014; USACE, 1995). As discussed in Table 4.8-1



under Section 4.7, *Hydrology and Water Quality*, the post-construction drainage would be less than 7% below existing runoff during a 100 year rainfall event, with no change in post-development runoff during 10 year (or less) rain events. The negligible (less the 7% during a 100 year rainfall event) reduction in runoff during infrequent major rainfall events (i.e., 25–100 year events) would not result in any hydrological interruption to in Los Carneros Wetland or affect the existing hydrological process. Adherence to existing stormwater regulations would ensure there is no increase to normal water flows before and following construction into Los Carneros Wetland as permitted by the agencies.

Development of the Project would remove existing on-site vegetation and increase the amount of impervious surfaces, which has the potential to affect the quality of stormwater runoff reaching downstream waterbodies, including the Los Carneros Wetland and potentially downstream in the Goleta Slough. Pollutants (e.g. sediment, hydrocarbons, heavy metals, herbicides, and fertilizers) could be transported in stormwater runoff as a result of temporary construction activities and routine human activities during the operational phase of the Project. Pollutant runoff from the Project site has the potential degrade water and soil quality in sensitive wetland, riparian and aquatic habitats and natural communities (e.g. the Los Carneros Wetland and the Goleta Slough), as well as indirectly impact sensitive wildlife and vascular plant species dependent upon these habitat areas

The Project includes the installation of low impact development design strategies intended to retain water on the Project site and encourage groundwater infiltration, including preservation of the 2-acre park in the center of the Project site, the use of permeable pavements, bioretention basins, vegetated swales, permeable pavements set on a gravel reservoir, and a subsurface Advanced Drainage System (ADS) Stormtech Chamber system (Mac Design, 2014). The bio-swales and bio retention areas would be planted with *Carex* and other native grasses. The Project includes landscaped bio-filter areas that would help to cleanse surface runoff. Stormwater flows from the Project site must meet appropriate water quality standards through implementation of Best Management Practices to control surface water runoff quality. The City's Stormwater Management Plan (SWMP), approved through the Central Coast Regional Water Quality Control Board (RWQCB) in compliance with the 1972 Clean Water Act, establishes measures and practices to reduce the discharge of pollutants and to protect downstream water quality. Compliance with the City SWMP with respect to construction period discharges and long-term operational discharges would be required. As required by the SWMP, water quality measures must be implemented prior to the surface runoff reaching the Los Carneros Wetland. With adherence to existing legal requirements, construction and operational direct and indirect impacts to jurisdictional waters and wetlands would be less than significant.

**Mitigation Measures.** This impact would be less than significant, and no mitigation is required.

**Residual Impact.** Adherence to existing City SWMP regulations would ensure less than significant potential indirect runoff and sedimentation impacts to off-site waters and wetlands. Impacts would be further reduced by Mitigation Measure HWQ-2 under Section 4.8, *Hydrology and Water Quality*.

**Impact BIO-4 The project is located within local wildlife linkage. Indirect impacts to wildlife movement from development of residences would be Class II, less than significant with mitigation [Threshold 4].**

Tecolotito Creek, approximately 0.38 mile west of the Project site, offers the most ideal wildlife access point to the Goleta Slough (Hoagland, 2011; Gallo, 2019). The Project site is separated from the regional corridor by Los Carneros Road and existing development, and would not result in any significant indirect



or direct impacts to resident or migratory wildlife using Tecolotito creek for migration, foraging, or breeding. The Project site provides degraded, low value foraging habitat, and is not expected to function as breeding habitat for terrestrial species, aquatic species, or raptors. As discussed above, ground nesting passerine birds or such species adapted to nesting in man-made structures could nest on or adjacent to the Project site; however, impacts to nesting passerine birds would be less significant with implementation of Mitigation Measure BIO-1.

A local wildlife linkage is documented on and adjacent to the Project site, which extends between the Santa Ynez Mountain foothills and the Los Carneros Wetlands. The local wildlife linkage is located along the northern and western portions of the Project site to the east and along Los Carneros Road and eventually south (off-site) to the Los Carneros Wetlands (City of Goleta, 2012; Appendix D). As discussed above, the habitat on-site is generally ruderal and low value; the conversion on 13.26 acres of mostly ruderal habitat would not impact wildlife movement in the vicinity, including those that may use nearby linkages for movement, foraging, breeding, or access to food sources for aquatic species. The Project would not directly affect movement of aquatic species within off-site Los Carneros Creek. Since no impacts are proposed within or adjacent to the creek, and indirect aquatic impacts would be less than significant with adherence to existing stormwater regulations discussed in EIR chapter Section 4.8.

The Project will directly impact the width and topography of the on-site terrestrial wildlife linkage from Santa Ynez Mountain foothills and the Los Carneros Wetlands, through the Project site and across the existing intersection of Calle Koral and Camino Vista. This on-site wildlife linkage is important for many small- (raccoon and striped skunk) and medium- (coyote and bobcat) sized mammal species that use the habitats found in the wetlands and foothills to hunt, seek shelter, breed, and conduct other normal behaviors important for their survival, especially within the wilderness-urban interface. Use by small- and medium-sized wildlife in Los Carneros Creek is further substantiated by the CWMP study north of US 101<sup>7</sup>, conducted in more suitable non-native grassland habitat from where wildlife may travel under the freeway culvert to and from to the Project site (Dudek 2014). As discussed above under Section 4.3.1.b, the *Wildlife Corridor Analysis for the Heritage Ridge Project* did not find evidence of a linkage between the Los Carneros Wetland and “patch” habitat at the Goleta Slough (Appendix D). The Preliminary Landscape Plan includes a 25-40-foot wide wildlife connection along a sound wall that would be located along the west perimeter of the site to allow for movement of mammals and other wildlife species between the Santa Ynez Mountain foothills and Los Carneros Wetland to the south. The sound wall would separate parking lots (north and west side of Project) and condominiums (south side of Project) from the designated wildlife linkage (True Nature, 2021<sup>14</sup>). The wildlife connection would begin at a recently constructed culvert north of the Project site under the UPRR tracks, continuing along the western property line, and ending at the Los Carneros Wetland. A native plant palette would provide vegetative cover that is generally preferred by small and medium sized mammal species for foraging and shelter to support movement. The wildlife linkage will also be designed to be in compliance with applicable fire codes and resistant to homeless encampments. The proposed wildlife connection would not funnel wildlife movement into new routes that would further endanger their survival, such as onto a road or into fencing hazards.<sup>8</sup> Rather, wildlife would continue to be funneled through the intersection of Calle

---

<sup>7</sup> CWMP Chapter 4, Table 4 Species at Camera Station. North of 101 (LC-3) 500 feet north of the study area: Bobcat, coyote, raccoon, resident species (striped skunk, Virginia opossum, rabbit, and rodent) May 27 to August 4, 2020. Hollister Avenue (LC-4) 1500 feet south of the study area: no species June 3 to July 14, 2020.

<sup>8</sup> Consistent with the Willow Springs II FEIR Figure 4.3-3, the *Wildlife Corridor Analysis for the Heritage Ridge Project* found evidence of existing wildlife linkage from the project site into the Los Carneros Wetland across the existing intersection Calle Koral and Camino Vista.



Koral and Camino Vista (as mapped in the 2012 Willow Springs EIR) after implementation of the proposed wildlife connection (City of Goleta, 2012; True Nature, 2021~~14~~).

Project generated traffic at the intersection of Los Carneros Way south of Calle Koral would increase by approximately 16% (Associated Transportation Engineers, 2021). However, a general increase in traffic by 16% is not expected to significantly affect nighttime wildlife movement, since traffic trip increases would generally occur during daytime hours when wildlife is least active. No new roadways are proposed. Based on Project design, which would reroute wildlife movement, and the isolation of the local wildlife linkage from Goleta Slough habitat, direct impacts to wildlife movement would be less than significant.

The Project would not result in significant indirect impacts on remaining undeveloped areas adjacent to the Project by introducing new noise, lighting, and human/domestic pet impacts when considering the current conditions that include traffic along Calle Koral Road and Camino Vista Road and U.S. 101. and train noise from the UPRR located to the north of the Project site. Ambient noise levels are not expected to increase significantly by the Project and would be minimized by construction of the sound wall to buffer noises generated from the UPRR and U.S. 101. Short-term noise-related impacts would be less than significant with incorporation Section 4.10, *Noise*, mitigation measures, and long-term impacts would be nominal with construction of the Project's sound wall. Mitigation measures restricting lighting, regulating chemical use, and promoting homeowner pet and wildlife corridor education would mitigate indirect edge-effects to a less than significant level.

### **Mitigation Measures**

**BIO-4(a) Lighting Plan.** In addition to the lighting specifications in Mitigation Measure AES-5, light and glare from new development must be controlled and directed away from the wildlife corridors shown on the conceptual landscape plan, Los Carneros Creek SPA ESHA, Los Carneros Wetland ESHA, and the open space areas adjacent to the development. Exterior night lighting must be minimized, restricted to low intensity fixtures, shielded, and directed away from ESHAs, wildlife corridors, and open space.

**Plan Requirements and Timing:** The locations of all exterior lighting fixtures, complete cut-sheets of all exterior lighting fixtures, and a photometric plan prepared by a registered professional engineer showing the extent of all light and glare emitted by all exterior lighting fixtures must be approved by the Design Review Board before the City issues Zoning Clearance.

**Monitoring:** Before the City issues a certificate of occupancy, the Planning and Environmental Review Director, or designee, must inspect exterior lighting features to ensure that they have been installed consistent with approved plans.

**BIO-4(b) Landscape Chemical and Pest Management Plan.** All pesticides, herbicides, and fertilizers used at the Project site must be those designated for use near aquatic and wetland habitats, and must be applied with techniques that avoid over-spraying and control application to avoid excessive concentrations. Rodenticides are prohibited. Trash and recycling receptacles shall be wildlife proof.

**Plan Requirements and Timing:** A Landscape Chemical and Pest Management Plan (Plan) must be developed by the applicant and approved by the Planning and



Environmental Review Director, or designee, before a final map is recorded. The requirements must be printed on the final approved landscape plans, each residential unit lease document, the map, and recorded on the property deed. The Plan must provide a prohibition on use of pesticides, herbicides, fertilizers and rodenticides. These prohibitions must be the subject of at least one annual communication by the applicant to the residents in the form of a meeting and/or newsletter or electronic update that is distributed to residents.

**Monitoring:** Evidence of this effort must be provided to the Planning and Environmental Review Director, or designee, each year by January 1st. The management must also provide the Planning and Environmental Review Director with an annual monitoring report by January 1<sup>st</sup> of each year demonstrating the use of aquatic and wetland habitat appropriate fertilizer, herbicides, and pesticides consistent with the Plan on the property. If determined necessary by the City, the City may require the applicant to retain a City approved qualified biologist to verify the correct use of appropriate herbicides, pesticides, and fertilizers as part of the annual monitoring report.

**BIO-4(c) Domestic Pet Predation, Feline Disease, and Wildlife Corridor Education.** The applicant must prepare a public education campaign for future residents of the Project site regarding: 1) the effects of domestic animal predation on wildlife (e.g., domestic cats and protected bird species); 2) promoting indoor cats since bobcats are susceptible to the same diseases as domestic cats, and disease can be transmitted between domestic cats and bobcats (or vice versa); and 3) the importance of wildlife corridors.

**Plan Requirements and Timing:** The education materials must be prepared by a City approved qualified biologist, approved by the Planning and Environmental Review Director (or designee) and must be recorded with the Final Map. The education materials must be distributed with the unit lease documents, and the subject of at least one annual communication by the applicant to the residents in the form of a meeting and/or newsletter or electronic update that is distributed to all residents.

**Monitoring:** Evidence of this effort must be provided to the Planning and Environmental Review Director each year by January 1st.

**Residual Impact.** Implementation of the above Mitigation Measures BIO-4(a) regulating lighting, Mitigation Measure BIO-4(b) requiring preparation of a Landscape Chemical and Pest Management Plan, and Mitigation Measure BIO-4(c) mandating resident education will reduce potential indirect edge effect impacts to the local wildlife linkage to less than significant, especially at night, when most mammals were observed moving through the area.

**Impact BIO-5** The Goleta General Plan / Coastal Land Use Plan identifies the presence of coastal sage scrub, an Environmentally Sensitive Habitat Area, on the Project site. However, biological assessment surveys for this EIR indicate that no protected habitat ESHAs are present on-site. Impacts to ESHA would be Class III, less than significant [*Threshold 5*].



The Project has the potential to conflict with General Plan policies that require the preservation of wildlife corridors, prohibit the planting of invasive species, require an SPA buffer for Los Carneros Creek and a Wetland ESHA buffer for Los Carneros Wetland, and require specific restrictions in and adjacent to ESHA consistent with Policy CE 1. Accordingly, potential impacts to resources protected by the General Plan CE are presented below.

The following paragraphs provide an evaluation of the consistency of the Project with the relevant General Plan Conservation Element policies related to ESHAs and SPAs.

*Policy CE 1: Environmental Sensitive Habitats Area Designation and Policy.* The off-site willow thickets along Los Carneros Creek are designated as SPA ESHA (CE 2.2), and Los Carneros Wetland is designated as Wetland ESHA (CE 3.1). Therefore, the provisions of Policy CE 1.9 apply, requiring the preservation of wildlife corridors or habitat networks, limitation of lighting and noise generation adjacent to ESHA, and prohibition of invasive landscaping.

Impacts to wildlife movement corridors are discussed and measures to mitigate indirect impacts recommended under Impact BIO-4 (above). Policy CE 1.9 specifically limits lighting directed at ESHA. Mitigation Measure BIO-4(a), which limits night lighting, is required under Impact BIO-4.

General Plan CE Policy 1.9 prohibits planting of non-native, invasive species in ESHAs and buffer areas adjacent to ESHAs. The landscape plan includes both ornamental and native plantings, a palette that would improve the Project's compatibility with ESHA, such as by providing a food source for insects and birds (e.g., coffee berry, coast live oak). Mitigation Measure BIO-2 would prohibit invasive species. Implementation of Mitigation Measures BIO-1, BIO-2, and BIO-4(b) would reduce impacts and ensure consistency with the General Plan. The Project is consistent CE Policy 1, and no additional mitigation measures are necessary.

*Policy CE 2: Protection of Creek and Riparian Areas.* Policy CE 2.2 requires a buffer of 100 feet from an SPA, but also allows the City to adjust the 100-foot buffer to 25 feet based on a site-specific assessment at the time of environmental review, 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."<sup>9</sup> The Project has been designed to meet the 100-foot setback requirement. ~~Biological surveys conducted in 2020 and 2021 determined that the current extent of the SPA ESHA (arroyo willow riparian habitat) north of the Project site in the UPRR right-of-way was 23 feet closer than the original boundary mapped by the City of Goleta in 2009 and described in 2015 (see Figure 4.3-2). This environmental setting change may be due to annual increases in precipitation since 2015, as well as UPRR vegetation and right-of-way management practices. Based on the 2020 and 2021 surveys and mapping of the off-site riparian vegetation, the original 100-foot SPA buffer extends slightly farther (additional 23 feet) into the Project site than the 10 feet mapped in 2009. The 100-foot SPA buffer from the outer edge of the current arroyo willow riparian canopy extends 33 feet into the Project site (see Figure 4.3-2).~~

---

<sup>9</sup> Measured from the top of the bank or the outer limit of wetlands and/or riparian vegetation, whichever is greater.

<sup>10</sup> Policy 2.2 states "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."



The Project is hydrologically separated from the creek by the UPRR right of way which includes steel railroad tracks, wooden railroad ties, and a gravel railroad bed on compacted fill. The entire SPA is off-site and located in the UPRR/Caltrans right-of-way. Approximately 85% of the SPA 100-foot buffer between the Project and Los Carneros Creek is within the UPRR right-of-way. As a result, the UPRR reduces the quality of the SPA buffer, and precludes the area between the Project site and Los Carneros Creek from the possibility of existing in a “natural state” in the future. The UPRR and Caltrans right-of-way are also major transportation corridors that provide very limited, poor quality wildlife habitat. Fast-moving cars and trains create a collision risk for wildlife, and also generate noise and human presence that may discourage wildlife from using the area. Because these are the very effects the SPA buffer is intended to attenuate, the existing buffer function is low. Additionally, the UPRR fragments the riparian woodland habitat that grows on the right-of-way creek banks.

The Project would be constructed within existing disturbed areas only, and has been designed to avoid impacts to sensitive resources (e.g., incorporation of wildlife connections in the landscaping). No habitable structures are proposed within 100 feet of the edge of riparian vegetation. The only development proposed within the SPA buffer is a sound wall, paved vehicle parking spaces, and landscaping that will be placed within 67 feet from the edge of the Los Carneros Creek riparian vegetation, but such placement would not affect the existing degraded function of the SPA buffer. This project component has not changed since the 2016 DEIR. The proposed 8-foot sound wall will be constructed along the north, eastern and western perimeter of the Project site and will function as a physical barrier preventing domestic pets (cats and dogs) owned by residents from entering the train tracks and adjacent riparian woodland; and will also prevent invasive plant species that exist in the railroad right-of-way and riparian woodland from spreading into the residential development. In addition, the Project’s on-site storm water drainage system includes permanent water quality BMPs such as bio-swales, catch basin filters, and the existing retention/infiltration basins, to capture and filter potentially occurring pollutants from developed areas. Given that the entirety of the site (including the SPA buffer encroachment) would drain into the proposed on-site permanent BMPs and not directly into Los Carneros Creek, it is unnecessary for the upland SPA buffer to filter and remove potentially occurring pollutants from developed areas. No direct impacts would occur to Los Carneros Creek from implementation of the Project. The Project has the potential to result in indirect impacts to the riparian corridor associated with Los Carneros Creek and aquatic habitat in channelized Los Carneros Creek during construction activities. However, as discussed above, impacts to wetlands and waters would be less than significant with adherence to existing regulations (e.g., SWPPP, General Plan Policy 1.9(g) and CE 10). Mitigation Measure BIO-4(b) regulating the use of fertilizers, pesticides, and herbicides, applied for wildlife migration protection, would also protect streamside vegetation and the biotic quality of the stream. The proposed sound wall at the property line (67 feet from the edge of riparian vegetation) would further reduce indirect impacts from noise, runoff, and lighting. For these reasons, and because of the location and hydrological separation by the of the UPRR tracks, a buffer of less than 100 feet is adequate since the reduced buffer (67 feet from edge of riparian vegetation) to the edge of the limits of Project development (e.g., landscaping, fencing, parking) would avoid significant impacts on the streamside vegetation or the biotic quality of the creek. This is consistent with Policy CE 2.2<sup>10</sup>, the site-specific analysis in the 2016 DEIR, and recommendations in the August 2020 Environmentally Sensitive Habitat Biological Survey and Mapping by Watershed Environmental Inc. With implementation of the recommended 33-foot reduction of the SPA buffer to a 67-foot buffer from the

---

<sup>10</sup> Policy 2.2 states “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.”





edge of riparian vegetation, the Project will not have a significant adverse effect on streamside vegetation or the stream's biotic qualities, and is consistent CE Policy 2.2. No additional mitigation measures are necessary.

~~As discussed in the *Heritage Ridge 100' Stream Protection Area Setback Reduction Request* (TK consulting 2020), alternative siting for the Heritage Ridge Project is not feasible. The Project has been designed to be consistent with densities required of a medium density residential/Central Hollister Affordable Opportunity Site. The Project has also been designed to be consistent with various City policies and development standards, including those related to: protection of cultural resources; minimum parking; storm water management; common open space; County Fire Department access; and maximum height and view protection.~~

*Policy CE 3: Protection of Wetlands.* The Project would not conflict with CE 3.3 through CE 3.8, since no fill is proposed and the Project buffer from the edge of wetland vegetation is greater than 50 feet. The edge of the Project site is approximately 80 feet northwest of the beginning of the wetland, and is separated by Camino Vista. Policy CE 1.4 requires a buffer of 100 feet from any wetland in the coastal zone, whereas outside the coastal zone Policy CE 3.5 requires "a wetland buffer of a sufficient size to ensure the biological integrity and preservation of the wetland shall be required...buffer shall be no less than 50 feet." The Los Carneros Wetland is directly north of the coastal zone; a 100-foot buffer is not required by the General Plan. However, since development is proposed within 100 feet from the edge of the wetland, a wetland ESHA buffer recommendation is included in this assessment. The proposed buildings are greater than 100 feet from the beginning of the wetland. Run-off would be conveyed into the existing storm water system that discharges into the Los Carneros Wetland, as permitted by USACE. The portion of the wetland within 100 feet of the Project was required to be created to mitigate for USACE wetland impacts for Willow Springs I, and to serve as a retention basin for Willow Springs II and the Project (Appendix D). The wetland was once hydrologically connected to Lake Los Carneros and the Goleta Slough; however, the wetland is now fragmented and isolated. Given the urbanized setting and that the area is approved for treating the Project's stormwater, the existing approximately 80 foot buffer is adequate. Mitigation Measure BIO-4 regulating the use of fertilizers, pesticides, or herbicide (applied for wildlife protection) would also protect wetland vegetation and the biotic quality of the wetland. Therefore, the proposed development 80 feet from the property line to the edge of wetland vegetation would not have a substantially adverse effect on the functions and values of Los Carneros Wetland. The Project is consistent with CE Policy 3, and no additional mitigation measures are necessary.

~~*Policy CE 9: Protection of Native Woodlands.* Implementation of the Project would not result in protected tree removal or alteration. Three willow trees are present on site and would be replaced at a ratio of 10:1 as required by the Project-specific Conditions of Approval. No trees are present on site, and The off-site trees (e.g. eucalyptus, willow) between the UPRR tracks and U.S. 101, and are located an adequate distance outside the development footprint and would not be affected by the Project. The Project is consistent with Policy CE 9.~~

*Policy CE 10: Watershed Management and Water Quality.* Existing regulations address the requirements of Policy CE 10. The Project is consistent with Policy 10, and no additional mitigation measures are necessary.

**Recommended Mitigation Measures.** This impact would be less than significant, and no mitigation measures are required.



**Residual Impact.** As mitigated, the Project is consistent with the General Plan. No significant impact would occur as a result of a conflict with local policies and ordinances.

**c. Cumulative Impacts.** Section 15130 of the *CEQA Guidelines* provides guidance on the discussion of cumulative impacts. Two conditions apply to determine the cumulative effect of a Project: first, the overall effect on biological resources caused by existing and known or forecasted Projects must be considered significant under the significance thresholds discussed above; and second, the Project must have a “cumulatively considerable” contribution to that effect. The analysis includes a discussion of the adopted Programmatic General Plan FEIR analysis, and an updated Project-specific cumulative analysis of the loss sensitive species and habitat and raptor foraging habitat.

*Cumulative Programmatic General Plan Biological Resource Impacts.* The Programmatic General Plan FEIR (City of Goleta, 2006; SCH # 2005031151), incorporated herein by reference, evaluated direct and indirect impacts from the conversion of existing vacant sites to the land uses designated for those areas in the General Plan. This analysis included the Project site build-out. The Project build-out is consistent with the General Plan land use designation. No significant unavoidable (Class I) impacts to biological resources were identified as a result of General Plan build-out. Biological resource impacts associated with build-out of vacant sites under the General Plan EIR were identified as less than significant (Class II), with adherence to Policies CE 1–10, Policies OS 1–7, and Policies LU 1,6, and 9. Development of the Project would not change the existing General Plan land use designation (Medium Density R-MD and Affordable Housing Opportunity Site) that was evaluated in the Programmatic General Plan FEIR. As discussed above, the Project impacts would be mitigated consistent with the General Plan policy requirements. The Statement of Overriding Consideration and FEIR adopted by the Goleta City Council is specific to Class II long-term impacts from the development of vacant land to specific special status species (Impact 3.4-5), native species (Impact 3.4-6,7), special status habitats (Impacts 3.4-2,3,4), and wildlife corridors (Impact 3.4-8). Cumulative impacts to biological resources, including the “loss of foraging habitat (grassland) for resident and migratory raptors” attributable to Projects in the City, were found to be less than significant (Class III) with adherence to General Plan policies and applicable federal and state regulations (Impact 3.4-14). Cumulative impacts to biological resources would not be cumulatively considerable, as identified under the Programmatic General Plan FEIR. As discussed above, the Project is consistent with the General Plan biological resource protection policies. Therefore, as identified in the Programmatic General Plan FEIR, cumulative biological resources impacts would be less than significant with implementation of the General Plan policies.

*Cumulative Loss of Sensitive Species and Habitat and Wildlife Connectivity.* Cumulative development in the Central Hollister area of Goleta consists of previous infill of undeveloped parcels (e.g., Village at Los Carneros, Cortona Apartments) within an urbanized area. Previous development in this area permanently eliminated extensive tracts of native plant communities, some of them now classified as rare or threatened. Native habitats support native wildlife species, many of which cannot survive in, or do not adapt to, the noise and disturbance associated with residential and urban developments. Species that do tolerate developed, landscaped, and disturbed sites include aggressive, non-native species that further displace native plants and wildlife, or may prey upon native species.

As discussed in Section 4.3.2.b vegetation on the majority of the Project site consists of non-native grasses and disturbance-following native shrubs. The proposed conversion from existing conditions to residential development would not be a cumulatively considerable contribution to a cumulatively significant effect, as the reduction and fragmentation of native habitats (including sensitive habitats), loss of native plant species diversity and populations, and reduction in native wildlife diversity and populations has already occurred in the past and was evaluated under the Programmatic General Plan FEIR. Moreover, mitigation



measures would protect existing biological resources on and adjacent to the Project, such as nesting birds and wildlife connectivity. Cumulative impacts sensitive species and habitats would be less than significant.

*Cumulative Loss of Raptor Habitat.* The 16.29-acre Project site is not a significant nesting or roosting habitat for raptors and the Project's conversion to urban development, when considered with other cumulative development in the area, would not result in significant loss of suitable nesting or roosting habitat for raptors.

The Project and several related Projects in the Goleta area would result in the loss of foraging habitat for raptors including, without limitation, non-native grassland, open scrubland, and disturbed/ruderal fields. The Project would not result in a cumulative impact to raptor foraging areas or access to food resources, as the foraging habitat at the Project site is of lesser importance to raptors at a regional scale due to its small size, fragmented condition, and proximity to existing development; the foraging habitat at the site is not essential to successful nesting of raptors in the Goleta area; suitable foraging habitat exists at several other locations in the area, such as Ellwood Mesa, Bishop Ranch, Los Carneros Lake, Santa Barbara Municipal Airport and Goleta Slough, and UCSB areas, as well as additional undeveloped private lands; and, raptors are mobile species capable of compensating for the loss of small acreages of suitable foraging habitat in a local area by finding and utilizing other suitable habitats. Approximately four acres of the Project site itself was recently inaccessible to raptors for foraging for at least two years when stockpiled soils were present in the native hydro-seed area. The Project's contribution (13.47 acres) to the loss of raptor habitat would not result in a significant cumulative effect at a regional-level, nor would it cause a region-wide raptor population to drop below self-sustaining levels when considering the few other infill Projects in the City, therefore cumulative impacts are less than significant.



## 4.4 CULTURAL AND TRIBAL CULTURAL RESOURCES

This section analyzes the Project's potential impacts to cultural resources. The analysis is based primarily on an *Archaeological Resources Assessment: North Willow Springs Project, City of Goleta, California* prepared by Dudek (May 2014) and on a peer review of this report by Rincon Consultants, Inc. in May 2015. This report considers an intensive Phase I archaeological ground surface survey in 1990 and subsequent subsurface Extended Phase I excavations in 1996 conducted within the Project site. Additional context is provided by the discussion of numerous archaeological investigations completed adjacent to the Project site: an original excavation in 1929, subsequent excavations in 1982, a Supplemental Phase 2 investigation in 1999, and a Phase 3 Data Recovery Mitigation program in 2014. The technical report is on file at the City of Goleta.

### 4.4.1 Setting

**a. Regional Setting.** A summary of the prehistory and history of the general project area, excerpted from the Goleta General Plan FEIR, is provided below.

Prehistory. Evidence exists for the presence of humans in the Santa Barbara coastal area for more than ten thousand years. While some researchers (e.g., Orr, 1968) suggest that the Santa Barbara Channel area may have been settled as early as 40,000 years ago, only limited evidence for occupation much earlier than 9,500 years has been discovered. Even so, human prehistory along the Santa Barbara channel area coast may extend back as much as 12,000 years (Erlandson et al., 1987; Erlandson et al., 1994). Approximately 7,500 years ago, prehistoric human settlement in the region appears to have increased rapidly with a number of sites dating to approximately this time, and many more dating subsequent to it (Colten 1987, 1991; Erlandson, 1988; Glassow, 1997). At that time, people in the area practiced a mostly gathering subsistence economy, focusing mainly on natural vegetal resources, small animals, and marine resources such as shellfish. One of the major tool types evident in their assemblage was the milling stone and muller (also referred to as mano and metate). This two-part tool was used primarily to process (grind) various kinds of seeds, small animals, and vegetal foodstuffs. The large quantities of these tools found by archaeologists in the sites of these people resulted in the designation of this period as the Milling Stone Horizon (Erlandson, 1994).

Beginning at sites dating to approximately 5,000 years ago, archaeologists began to notice differences in some archaeological site assemblages. These differences involved changes in the tool inventory with new tool types indicative of new subsistence technologies. Most significant of these differences were projectile points indicative of hunting activities, and the mortar and pestle suggestive of the utilization of a new vegetal foodstuff, the acorn. Another change involved an increase in fishing and the procurement of marine mammals for food. The use of these new technologies increased during the next approximately 3,000 years, until approximately 2,000 to 1,500 years ago. During this period, prehistoric habitation increased considerably in the Goleta area.

The advent of new technologies and subsistence strategies again became evident approximately 2,000 to 1,500 years ago, signaling a distinctive change in the pattern of prehistoric culture in California. Included in these new technologies were the bow and arrow and, in some areas, ceramics. Burial practices also changed in some areas of California with cremation of the dead supplanting inhumation. The period is characterized as a time of cultural elaboration and increased sophistication including artistic, technological, and sociological changes (Erlandson and Torben, 2002).



Ethnographic Background. At the time of first European contact in 1542, the Goleta area was occupied by a Native American group speaking a distinct dialect of the Chumash language. Historically, this group became known as the Barbareño Chumash (Landberg, 1965); the name deriving from the Mission Santa Barbara under whose jurisdiction many local Chumash came after its founding in 1776. The Chumash were hunters and gatherers who lived in an area with many useful natural resources and were politically organized into chiefdoms. They had developed a number of technologies and subsistence strategies that allowed them to maximize the exploitation of these natural resources. Consequently, before a drastic change caused by disease and other forms of cultural disruptions introduced by the Spaniards, Chumash settlements were numerous, with some containing large residential areas, semi-subterranean houses, and large cemeteries. At the time of Spanish contact, the Goleta area and immediate vicinity was highly populated with at least ten Chumash villages (Johnson, et al., 1982). A number of these settlements were situated around what was in prehistoric times a much larger Goleta Slough. The slough was a navigable lagoon with waters over 11 feet deep at high tide in prehistoric times (Stone, 1992; Gamble 2008), and contained an abundance of marine resources including shellfish, fish, birds, and marine mammals. Early Spanish explorers, missionaries, and administrators characterized the Chumash as having a strong propensity for trade, commerce, and craft specialization, as well as for intervillage warfare (Erlandson, 1994).

History. The first European contact to the Santa Barbara coastal region was by the Portuguese explorer Juan Rodriguez Cabrillo in 1542, whose voyage up the California coast under the flag of Spain was the first expedition to explore what is now the west coast of the United States. It was, however, Spanish explorer Sebastian Vizcaino, sailing though the region in December 1602, retracing Cabrillo's voyage, who christened the channel Santa Barbara in honor of Saint Santa Barbara (Guinn, 1907). After 1602, there is no verified documentation of European contact in the region until Portolá's expedition along the coast of California en route to Monterey Bay in 1769. Accompanying Portolá was Sergeant José Francisco Ortega, who would become the first comandante of the Santa Barbara Presidio, constructed in 1781–82 (Whitehead, 1996).

Mission Santa Barbara was founded on December 4, 1786, and in the first year of commission, 186 Chumash people were baptized, 83 of which were from the Goleta region (Johnson, et al., 1982:20). In 1803, a proportionally large number of baptisms occurred throughout the five missions located within the Chumash territory, putting such a strain on the missions that the newly baptized were allowed to remain in certain native villages which were renamed after saints (Johnson, et al., 1982). In the Goleta area, there were at least two of these communities, San Miguel and San Francisco, the native villages of Mescaltitan (S'axpilil) and Cieniguitas (Kaswa's), respectively (Johnson, et al., 1982:21).

In the time between the establishment of the Santa Barbara Mission and Presidio and the end of Spanish rule in California in 1822, the Goleta area was primarily used by the Franciscan fathers for grazing cattle and sheep (County of Santa Barbara, 1993). In 1806, a measles epidemic took many lives and marked the beginning of the decline of both the Mission Santa Barbara and the native population (Johnson, et al., 1982). In 1822 and 1823, the most severe drought in mission history occurred, resulting in two very poor harvest years. A Chumash revolt occurred in 1824, possibly influenced by the lack in food supply (Johnson et al., 1982:25). Many of the Chumash population dispersed into the mountains and to the southern San Joaquin Valley. After two Mexican expeditions into the interior, many of them were persuaded to return to Santa Barbara (Blakley and Barnette, 1985).

Although Mexico had gained independence from Spain in 1822, it was not until 1835 that secularization of the missions occurred, the mission became a parish church, and the Chumash were made free citizens



(Johnson, et al., 1982). The policy of the Mexican government was to grant the mission lands and other unclaimed property to prominent citizens who were required to develop the properties and to build homes on them (EIP Associates, 2004). The City of Goleta encompasses parts of two of these land grants: Los Dos Pueblos Rancho, granted to Nicholas Den in 1842, and La Goleta, granted to Daniel Hill in 1846 (Tompkins, 1960; King, 1982). The ranchos were used by Den and Hill primarily to raise cattle for hide and tallow production (Tompkins, 1960; King, 1982; EIP Associates, 2004).

The American period began in 1848, when Mexico signed a treaty ceding California to the United States. Santa Barbara County was one of the original counties of California, formed in 1850 at the time of statehood. In 1851, a land act was passed that required the confirmation of ownership of Spanish land grants, although the process took many years to complete. Daniel Hill received a patent for La Goleta on March 10, 1865, and Los Dos Pueblos was patented to N. A. Den on February 23, 1877, 15 years after his death (California Secretary of State, 2000).

The 1870s saw the characterization of the Goleta area began to shift from sparsely populated cattle ranches to farmsteads and towns. The area of La Goleta north of Hollister Avenue was subdivided into 38 parcels, ranging from 31 to 258 acres each (King, 1982:51), and a town taking on the name of Goleta was established in the southwestern portion of the old La Goleta land grant. Early pioneers during this time include J. D. Patterson, Richard Sexton, B. A. Hicks, Ira A. Martin, John Edwards, and Isaac Foster (King, 1982). By 1890, the population of Goleta had grown from 200 in 1870 to 700 people (King, 1982:51).

In 1887, the Southern Pacific Railroad connected Santa Barbara County to Los Angeles and in 1901 to San Francisco, bringing with it the expansion and growth of ranching and agriculture in the Goleta Valley (Grenda, et al., 1994). Goleta in the early 1900s was described by J. M. Guinn as “a small village eight miles to the northwest of Santa Barbara. The country around to a considerable extent is devoted to walnut-growing and olive culture” (1907:422). Joseph Sexton, who had developed the softshell walnut, inspired many additional area farmers to plant their land with walnuts and a grower’s association was formed (King, 1982). In the early 1870s, Sherman Stow planted lemon, walnut, and almond orchards; the lemon orchards were the first commercial lemon planting in California (Tompkins, 1966; Grenda, et al., 1994). The lemon industry continued to develop, and in the 1930s, a lemon packing plant was constructed. Today agriculture in the Goleta foothills consists mainly of lemons and avocados (King, 1982; Goleta Valley Urban Agriculture Newsletter, 2002).

Oil production along the Goleta coast began in the 1920s and boomed in 1928 with the discovery of the Ellwood oil fields. After 1937, oil production began to decline; however, natural gas was also discovered along the coast and is still being tapped today (County of Santa Barbara, 1993). Suggestions that the Goleta slough be turned into a harbor first originated in the early 1920s and persisted into the 1960s, although this plan eventually disintegrated with the infilling of marshlands in 1930s and 1940s in order to accommodate an airport. In 1941, the City of Santa Barbara bought Mescalitan Island and the surrounding tide flats (King, 1982; County of Santa Barbara, 1993). The 1950s and 1960s brought tremendous change to the Goleta area, as the construction of Cachuma dam provided a relief to the area’s problem of a reliable water source and fueled rapid growth and commercial and residential development (Grenda, et al., 1994; County of Santa Barbara, 1993).

**b. Project Site Setting.** The Project site is located on a coastal alluvial plain adjacent to the ancestral Goleta Slough and below the foothills of the Santa Ynez Mountains, part of an east-west trending Transverse Range Province. The origin of these rolling foothills is marine Pleistocene terrace (City of Goleta General Plan FEIR, 2006; Dibblee, 1950). The Project site is near Tecolotito Creek, which flows into the



Goleta Slough. Soil in the Project site is mixed varying from Goleta fine sandy loam, 0% to 2% slopes, Milpitas-Positas fine sandy loam, 2% to 9% slopes, and Xerorthents cut and fill areas (United States Geological Survey, 1982).

A summary of historic use of the Project site and its archaeological resources is provided below.

History. Agricultural, grading, and construction activity have disturbed the soil of the Project site. Before 1928, the Project site was used for agriculture and grading, and portions of orchard remained fallow in the eastern portion of the site until the 1980s. In 1986 a mass grading plan for the entire site was approved and initiated. Initial grading consisted of clearing and grubbing of orchard trees and root structures. Surface material was scraped and placed in windrows. At this time, investigations of prehistoric cultural resources were undertaken, and grading resumed outside of fenced sensitive archaeological areas. In 1997 the Project site served as a staging area for fill during construction of the Los Carneros Road/U.S. 101 interchange. Ongoing activity associated with two stockpile permits first issued in 2002 has occurred outside of a 50-foot buffer from the fenced archaeological site CA-SBA-56 (this archaeological site is discussed in greater detail below).

Archaeological Resources. The prehistoric archaeological site CA-SBA-56 was originally documented directly south of the Project area, within what is today the Willow Springs II site (Willow Springs Apartments). David Banks Rogers first recorded this archaeological area in 1929, based on the excavation of 46 trenches, as a residential “midden” associated with a village site. This site was characterized by very dense deposits of shellfish, stone tools, and grinding stones, and fragments of a human skeleton. Beginning in the 1980s, various archaeological investigations within and around the known area were conducted mostly to define and refine the boundaries of CA-SBA-56 and to obtain enough archaeological data to determine its significance with respect to dates of occupation and function. These studies have resulted in refinements of site boundaries, now known to extend into the Project area, identification of areas of intact and/or disturbed or destroyed components, and confirmation that the midden deposits represent a multi-occupational site (at least two major periods of occupations and each spanning hundreds of years of use). Excavations conducted in 1982 (Gerstle and Serena, 1982) resulted in a determination that the main residential midden at CA-SBA-56 was eligible for listing on the National Register of Historic Places (NRHP). Because CA-SBA-56 has been deemed NRHP-eligible, it is also a significant archaeological resource pursuant to CEQA Guidelines Section 15064.5(a)(3).

Following removal of the fallow orchard on the Project site in the 1980s, archaeological monitoring of grading operations in 1989 identified a “low density artifact scatter” (hereafter referred to as the Northern Midden Area), along the ridgeline north of the main residential midden area at CA-SBA-56, and within the Project site. A human bone fragment was collected in this area and reburied outside of the Project site. In 1990, an intensive ground surface collection conducted by Science Applications International Corporation (SAIC) and the ISERA Group revealed chipped stone flakes, ground stone, hammerstones, shellfish, animal bone, and ochre within the Project site. Extended Phase 1 excavations conducted by SAIC and the ISERA Group in 1996 identified intact archaeological deposits between six and 24 inches below the ground surface on the Project site, consistent in nature with those that had been collected on the surface. In addition, these excavations revealed an intact human burial. Upon identification of the burial, excavations in the vicinity were halted and the burial remains undisturbed at the location of discovery in the southern portion of the Project site. Such human remains are protected by State law (see Codes Governing Human Remains, below).





The Extended Phase 1 excavations (SAIC and ISERA Group 1996) resulted in the extension of the CA-SBA-56 boundary northward along and beyond the elevated knoll in the Project site. The Northern Midden Area in CA-SBA-56 within the Project site constitutes a significant archaeological resource under the CEQA Guidelines. The boundary of the archaeological area and a 50-foot buffer have been fenced to ensure that no disturbance to the resource occurred during placement of stockpile soils on the Project site that occurred during a period from approximately 1998 to 2014. Cultural materials within the elevated knoll area have sufficient densities and varieties of prehistoric food and artifacts to address research questions about past Native American occupation of the area.

The 1996 Extended Phase 1 excavations also identified an “intermediate artifact scatter”, hereafter referred to as the Intermediate Midden Area, along the CA-SBA-56 ridgeline south of the Project Site. This area has moderate amounts of chipped stone flakes and low amounts of fragmented animal bone.

*Carbon Dating of Cultural Materials.* It is believed that the archaeological site CA-SBA-56 was occupied during the Early Period (“Oak Grove,” 8,000 to 3,350 years before present [B.P.]) and Late Period “Canalino,” 800 to 150 B.P.) of Chumash prehistory (SAIC, 1999). A series of investigations provided an age of 6,600 and 6,700 B.P. for deposits within the main residential midden area. Radiocarbon dating of shellfish collected from the Northern Midden Area has indicated that this area was occupied from 6,930 to 7,080 years B.P., within the Early Period. There is also ample evidence for major gaps in occupation, likely the result of environmental conditions that would have affected accessibility of the site area, such as higher water levels.

*Cultural Material Distributions.* CA-SBA-56 is a relatively large site with a dense, central residential midden deposit, an area of intermediate artifact density (the Intermediate Midden Area) within the Project site, a low density artifact scatter (the Northern Midden Area) to the north, and peripheral low-lying areas.<sup>1</sup> The Supplemental Phase 2 work completed by SAIC (1999) and Phase 3 Data Recovery Mitigation program completed by Dudek (Stone and Victorino, 2014) produced an understanding of the density and diversity of cultural materials recovered from these areas in CA-SBA-56. By collectively assembling all documented investigations, the following generalizations of deposit distributions and diversity in CA-SBA-56 were determined:

- **Main Residential Midden.** *This area of the site, now protected as open space under 18 inches of fill in Lot 20 of the Willow Springs I project, has substantially greater densities of shellfish (over 5,000 percent) and chipped stone flakes resulting from stone tool manufacturing (200-300 percent greater than the remainder of CA-SBA-56). Concentrations of animal bone are also 100 percent greater than areas to the north. Intact resource deposits still remain within the main residential midden. This is the area of CA-SBA-56 that was determined NRHP-eligible in 1982.*
- **Intermediate Midden Area.** *This area of CA-SBA-56, located along the ridgeline outside of the Project site but within the Willow Springs II site to the south, has moderate amounts of chipped stone flakes and low amounts of fragmented animal bone, but nearly no shellfish. As these remains have been dated to either the late Early to Early Middle Period, they appear to be later than the main residential midden occupation of CA-SBA-56 within Lot 20 of the Willow Springs I project. They represent*

---

<sup>1</sup> The labels of each site area have been changed from the original cultural resources study by David Stone (Dudek 2014) to clarify. The labels have been changed as follows: Intermediate Artifact Scatter to Intermediate Midden Area, Low Density Artifact Scatter to Northern Midden Area, and Low-Lying Areas Surrounding the Knoll to Peripheral Areas.



*specialized activity areas peripheral to the main residential midden to the south in Lot 20 (Stone and Victorino, 2014). Intact resource deposits remain within the Intermediate Midden Area.*

- **Northern Midden Area.** This area of low density shell midden deposit, located within the Project site, along the ridgeline north of the main residential midden area, is composed of chipped and ground stone (mano and metate fragment) artifacts associated with the Early and Middle Periods. The artifact densities appear to have been considerably lower than those in the central midden area (1/20th of the shellfish and bone densities, and 1/6th of the chipped stone flake and tool density), though the extent of stone tool manufacturing/resharpening appears to be higher than the Intermediate Midden Area located along the ridgeline within the Willow Springs II site to the south. An intact undisturbed human burial was identified in the southern portion of the Project site at the Northern Midden Area during the Extended Phase 1 excavations in 1996. Excavations within the Northern Midden Area within the project site revealed that the soils have been previously disturbed a depth of four inches below the ground surface.
- **Peripheral Areas.** The low-lying areas peripheral to the main residential midden and Intermediate Midden Area and have extremely sparse densities of cultural material or none at all. The cultural deposits on the project site have been disturbed up to 12 inches below the ground surface as a result of past agricultural grading activities. Nearly all of the cultural materials encountered in this area were recovered from the top eight inches of soil, and animal bone recovered was highly fragmented. This suggests that most of these materials have been previously disturbed and little, if any, intact deposits remain within the low-lying areas. Although some sparse materials recovered during the Phase 2 excavations and previous Extended Phase 1 trenching and shovel test pits were recovered below the disturbance zone, they are thought to represent very sporadic temporary activity adjacent to Carneros Creek. Therefore, the shellfish and flakes recovered in this area generally lack stratigraphic integrity, and provide little information about the prehistoric activities that occurred at CA-SBA-56, particularly when compared to the Intermediate Midden Area along the raised knoll.

*Extent of Prior Data Collection and Evaluation.* The larger CA-SBA-56 site, including portions of the Project site, has been subjected to extensive archaeological field surveys, which have included:

- *Geomorphological analysis;*
- *Analysis of historic land uses and disturbances through historic photograph analysis;*
- *A minimum of ten surface surveys resulting in the recovery of 591+ artifacts;*
- *The identification of one human femur at the Willow Springs II site;*
- *Disking for better visual inspections;*
- *A minimum of 29 Shovel Test Pits (STPs);*
- *A minimum of 56 controlled trenches and examination of one looter's trench;*
- *Excavation of 14 controlled excavation units (four were located within the Intermediate Midden Area and 10 were placed in the low-lying areas);*
- *Recovery of column samples;*
- *Hundreds of artifacts from subsurface contexts;*
- *One human burial (left in situ);*
- *Reports of at least two possible hearths; and*



- *Carbon-14 dates confirming the two major periods of occupation (Early Period and Late Period).*

CA-SBA-56 has been subjected to a high level of testing and evaluation, resulting in a relatively large body of data. Synthesis of these investigation results have occurred in the Phase 3 Data Recovery Investigation for the Willow Springs II Project and in a forthcoming academic publication (Erlandson, et al. in press; Stone and Victorino, 2014).

**c. Native American Scoping.** Representatives of the Coastal Band of the Chumash Nation (members of the Chumash Native American Community) have been actively involved in past archaeological investigations at CA-SBA-56 and the Barbareño Band of Chumash Indians (Barbareño Band) has participated in meetings with the City and is actively involved with the current project. Along with other contemporary Chumash, the Coastal Band of the Chumash Nation and Barbareño Band consider all prehistoric archaeological sites to be important heritage resources. Contemporary Chumash in many cases consider that the integrity or intactness of archaeological deposits does not affect their heritage significance. However, the heritage significance of a resource does not directly correlate to the archaeological significance of a resource. The City sent a certified letter on November 23, 2015 to Michael Cordero representing the Coastal Band of the Chumash Nation per their request pursuant to Senate Bill 18 (SB 18). The City made numerous attempts to arrange a meeting with the tribe. The City sent a letter on November 23, 2015, requesting the tribe respond within 30 days or they would assume the tribe was no longer interested in meeting with the City. The project applicant met with representatives of the Barbareño Band on July 25, 2016 to share Project design elements directed at preserving significant archaeological and heritage resources associated with CA-SBA-56. The City met with the Barbareño Band on August 24, 2016 and December 1, 2016, and received a formal written response from the Barbareño Band dated February 22, 2017. In their February 22, 2017 letter, the Barbareño Band clarified their position on points discussed in the July meeting and stated that the undisturbed burial at CA-SBA-56 holds historical, cultural, and spiritual significance but that the current proposed mitigation measures would reduce impacts to the site to less than significant (Class II).

In addition to consultation with Native American tribal representatives in 2016 and 2017, the City of Goleta sent letters to the local Native American contacts identified by the Native American Heritage Commission (NAHC) notifying them of the Project, as recently revised, on March 22, 2021. In the letter, the City requested that the tribes respond by April 15, 2021 if they would like an additional opportunity to consult on the revised Project. The City did not receive any requests for additional consultation. Additional information on the requirements of tribal consultation as it relates to the project is included in the Regulatory Setting and Impact Analysis below.

#### **d. Regulatory Setting.**

##### State of California.

*California Environmental Quality Act (CEQA).* Section 15064.5 of the *CEQA Guidelines* states that a cultural resource is “historically significant” if it meets one of the criteria for listing in the California Register of Historical Resources (CRHR) (Public Resources Code § 5024.1; 14 CCR § 4852). A resource may qualify for CRHR listing if it:

- (A) *Is associated with events that have made a significant contribution to the broad patterns of California’s history of cultural heritage;*



- (B) *Is associated with the lives of persons important in our past;*
- (C) *Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or*
- (D) *Has yielded, or may be likely to yield, information important in prehistory or history.*

Cultural resources meeting one or more of these criteria are defined as “historical resources” under CEQA. Included in the definition of historical resources are prehistoric archaeological sites, historic archaeological sites, historic buildings and structures, traditional cultural properties important to a tribe or other ethnic group, cultural districts and landscapes, and a variety of other property types.

Impacts to “unique archaeological resources” are also considered under CEQA as described under Public Resources Code § 21083.2. This section defines a “unique archaeological resource” as:

*“an archaeological artifact, object, or site, about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:*

- 1. Contains information needed to answer important scientific research questions and there is a demonstrable public interest in that information.*
- 2. Has a special and particular quality such as being the oldest of its type or the best available example of its type.*
- 3. Is directly associated with a scientifically recognized important prehistoric or historic event or person (Public Resources Code § 21083.2(g)).*

Potential impacts to identified cultural resources need only be considered if the resource is an “important” or “unique archaeological resource” under the provisions of CEQA Guidelines 15064.5 and 15126.4 and the eligibility criteria. If a resource cannot be avoided, then the resource must be examined pursuant to CEQA Guidelines 15064.5 and 15126.4 and pursuant to the eligibility criteria as an “important” or “unique archaeological resource.”

A non-unique archaeological resource is an archaeological artifact, object, or site that does not meet the above criteria. Impacts to non-unique archaeological resources and resources that do not qualify for listing on the CRHR receive no further consideration under CEQA.

Section 15064.5(b)(3) of the CEQA guidelines state that if significant cultural resources are identified within a proposed project site, the lead agency is required to identify potentially feasible mitigation measures and ensure that these measures are enforceable through permit conditions. Preservation in place is the preferred mitigation for archaeological sites, which can be accomplished by capping or covering the site with sterile soil (PRC 21083.2 [b]; CEQA guidelines § 15126.4[b][3]).

Tribal cultural resources are defined in Public Resources Code §21074 as:

- 1. Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either: (a) included or determined to be eligible for inclusion in the California Register of Historical Resources (California Register), or (b) included in a local register of historical resources*
- 2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant.*



A cultural landscape that meets these criteria is a tribal cultural resource to the extent that the landscape is geographically defined in terms of the size and scope of the landscape. Archaeological resources may also be tribal cultural resources if they meet these criteria.

*Senate Bill 18 (SB 18).* California Government Code Section 65352.3 (adopted pursuant to the requirements of SB 18) requires local governments to contact, refer plans to, and consult with tribal organizations prior to making a decision to adopt or amend a general or specific plan. The tribal organizations eligible to consult have traditional lands in a local government's jurisdiction, and are identified, upon request, by the NAHC. As noted in the California Office of Planning and Research's Tribal Consultation Guidelines (2005), "The intent of SB 18 is to provide California Native American tribes an opportunity to participate in local land use decisions at an early planning stage, for the purpose of protecting, or mitigating impacts to, cultural places."

*Assembly Bill 52 (AB 52).* As of July 1, 2015, California Assembly Bill 52 (AB 52) was enacted and expands CEQA by establishing a formal consultation process for California tribes within the CEQA process. The bill specifies that any project that may affect or cause a substantial adverse change in the significance of a tribal cultural resource would require a lead agency to "begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project." According to the legislative intent for AB 52, "tribes may have knowledge about land and cultural resources that should be included in the environmental analysis for projects that may have a significant impact on those resources." Section 21074 of AB 52 also defines a new category of resources under CEQA called "tribal cultural resources." Tribal cultural resources are defined as "sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe" and is either listed on or eligible for the CRHR or a local historic register, or if the lead agency chooses to treat the resource as a tribal cultural resource. See also PRC 21074 (a)(1)(A)-(B).

In recognition of California Native American tribal sovereignty and the unique relationship of California local governments and public agencies with California Native American tribal governments and with respect to the interests and roles of project proponents, it is the intent AB 52 to accomplish all of the following:

1. *Recognize that California Native American prehistoric, historic, archaeological, cultural, and sacred places are essential elements in tribal cultural traditions, heritages, and identities*
2. *Establish a new category of resources in CEQA called "tribal cultural resources" that considers the tribal cultural values in addition to the scientific and archaeological values when determining impacts and mitigation*
3. *Establish examples of mitigation measures for tribal cultural resources that uphold the existing mitigation preference for historical and archaeological resources of preservation in place, if feasible*
4. *Recognize that California Native American tribes may have expertise with regard to their tribal history and practices, which concern the tribal cultural resources with which they are traditionally and culturally affiliated (Because CEQA calls for a sufficient degree of analysis, tribal knowledge about the land and tribal cultural resources at issue should be included in environmental assessments for projects that may have a significant impact on those resources)*



5. *In recognition of their governmental status, establish a meaningful consultation process between California Native American tribal governments and lead agencies, respecting the interests and roles of all California Native American tribes and project proponents, and the level of required confidentiality concerning tribal cultural resources, early in the CEQA environmental review process, so that tribal cultural resources can be identified, and culturally appropriate mitigation and mitigation monitoring programs can be considered by the decision-making body of the lead agency*
6. *Recognize the unique history of California Native American tribes and uphold existing rights of all California Native American tribes to participate in, and contribute their knowledge to, the environmental review process pursuant to CEQA*
7. *Ensure that local and tribal governments, public agencies, and project proponents have information available, early in CEQA environmental review process, for purposes of identifying and addressing potential adverse impacts to tribal cultural resources and to reduce the potential for delay and conflicts in the environmental review process*
8. *Enable California Native American tribes to manage and accept conveyances of, and act as caretakers of, tribal cultural resources*
9. *Establish that a substantial adverse change to a tribal cultural resource has a significant effect on the environment*

The provisions of AB 52 are applicable to projects that have a notice of preparation (NOP), a notice of negative declaration, or a notice of mitigated negative declaration filed on or after July 1, 2015. An NOP for the Project was distributed for the 30-day agency- and public-review period on April 6, 2015. Therefore, the AB 52 consultation is not required for the Project. However, as a courtesy, the City conducted additional tribal consultation in 2021, as described in Section 4.4.1(c).

*Codes Governing Human Remains.* Section 15064.5 of the *CEQA Guidelines* also assigns special importance to human remains and specifies procedures to be used when Native American remains are discovered. The disposition of human remains is governed by Health and Safety Code § 7050.5 and Public Resources Code § 5097.94 and 5097.98, and falls within the jurisdiction of the NAHC. If human remains are discovered, the County Coroner must be notified within 48 hours and there should be no further disturbance to the site where the remains were found. If the remains are determined by the County Coroner to be Native American, the County Coroner is responsible for contacting the NAHC within 24 hours. The NAHC, pursuant to Public Resource Code § 5097.98, will immediately notify those persons it believes to be most likely descended from the deceased Native Americans so they can inspect the burial site and make recommendations for treatment or disposal.

City of Goleta. Cultural resources information and policies applicable to the Project are found in the Open Space Element (Chapter 3) and the Visual and Historic Resources Element (Chapter 6) of the Goleta General Plan. The following selected policies would apply:

- *Open Space Element Policy 8.1.*
- *Open Space Element Policy 8.2.*
- *Open Space Element Policy 8.3.*
- *Open Space Element Policy 8.4.*
- *Open Space Element Policy 8.5.*
- *Open Space Element Policy 8.6.*
- *Visual and Historic Resources Element Policy 5 Objective.*



## 4.4.2 Impact Analysis

**a. Methodology and Significance Thresholds.** The significance of a cultural resource and impacts to the resource is determined by whether or not that resource can increase the collective knowledge regarding the past. The primary determining factors are site content and degree of preservation. A finding of archaeological significance follows the criteria established in the *CEQA Guidelines* and the City's *Environmental Thresholds and Guidelines Manual*.

Pursuant to the Appendix G of the *CEQA Guidelines*, potentially significant impacts would occur if development of the Project site would:

1. *Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines §15064.5;*
2. *Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5;*
3. *Disturb any human remains, including those interred outside of formal cemeteries.*

In accordance with Appendix G of the *CEQA Guidelines*, an impact to tribal cultural resources is considered significant if the project would:

4. *Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:*
  - a. *Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or*
  - b. *A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.*

Impacts related to Threshold 1 was found to be less than significant, and is discussed in Section 4.17, *Effects Found Not to Be Significant*. Therefore, the analysis in this section focuses on Thresholds 2, 3, and 4.

According to the *City of Goleta Cultural Resource Guidelines*, a project would have a significant impact on a cultural resource if it results in the physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of such a resource would be materially impaired.





**b. Project Impacts and Mitigation Measures.**

**Impact CR-1** Based on archaeological investigations conducted on the Project site, there is evidence that an intact archaeological deposit (associated with CA-SBA-56) is present. Construction activities for the Project could potentially have a significant impact on CA-SBA-56. This would be a Class II, *significant but mitigable impact [Thresholds 2 and 3]*.

Proposed grading activities on the Project site have been designed to avoid disturbance of the Northern Midden Area (refer to Section 2.5.3 of the *Project Description*), which includes human remains and is a significant archaeological resource pursuant to CEQA Guidelines Section 15064.5(a)(3). To prevent disturbance of the soil, existing vegetation within the boundary of the Northern Midden Area of CA-SBA-56 is proposed to be removed by hand, remaining root balls and masses would be sprayed with a topical herbicide to ensure no further growth, and the resulting dead masses of vegetation would be left in place. A geotextile tensor fabric (Tensar BX1200 or equivalent) would be placed on top of the existing ground surface within the Northern Midden Area to reduce the force of compaction from overlying fill soils and redistribute the compaction load force over a wider area, thereby minimizing the disturbance of friable cultural remains such as shellfish and animal bone. No remedial grading, subgrade preparation, or scarification would occur prior to placement of the geotextile fabric. Then the Northern Midden Area and a 50-foot buffer would be covered in a minimum of two feet of protective fill soil to prevent direct impacts to archaeological resources. Fill soils would be spread from the outside in no greater than eight-inch lifts with rubber-tired equipment, such that equipment only operates on top of the fill soils. This protocol would follow the previously approved measures implemented in the protection of CA-SBA-56's Intermediate Midden Area resources within the Willow Springs II project.

The Project has also been designed to avoid physical disturbance of the Northern Midden Area. The two-acre park is proposed to be placed above the Northern Midden Area. The park improvements, which include landscaping, irrigation, a decomposed granite trail, a permeable concrete parking area, a picnic area, and a lodgepole perimeter fence, would be placed on top of fill soils and would not require disturbance of the existing ground surface. All proposed residential buildings and drainage improvements would be placed outside of the Northern Midden Area. Therefore, the Project would not have direct impacts on significant archaeological resources at the Northern Midden Area.

Although the site layout proposed and placement of protective fill over the Northern Midden Area would avoid direct impacts to this significant archaeological resource, the preservation of cultural deposits by intentional burial would result in a significant indirect impact on the research values of the cultural resource. Placement of overlying fill would preclude the opportunity for future investigations to determine the way in which the portions of CA-SBA-56 to be buried are related chronologically and functionally to the Intermediate Midden Areas to the south. This indirect impact can be mitigated through implementation of a limited Phase 3 Data Recovery investigation to obtain a systematic sample of prehistoric remains from the Northern Midden Area. The physical extent of this investigation would be limited by the lower density of cultural remains in this area, relative to that of the central midden at CA-SBA-56, and by the availability of previous research from the Phase 3 Data Recovery Program for the Willow Springs II project immediately to the south.

**Mitigation Measures.** The following measures would address areas of intact CA-SBA-56 deposits where proposed ground disturbances cannot be feasibly avoided. These measures are consistent with conditions of approval for the Willow Springs II project, where relevant.



**CR-1(a) Limited Phase 3 Data Recovery.** The applicant must provide a Phase 3 Data Recovery Program Plan developed by a City-approved archaeologist for excavations at the Northern Midden Area at CA-SBA-56.

**Plan Requirements:** The Phase 3 plan must be prepared in accordance with the City of Goleta's *Cultural Resources Guidelines (1993)*, Open Space Element Policy 8.5, the California Office of Historic Preservation's (1990) *Archaeological Resource Management Reports (ARMR): Recommended Contents and Format*, and Public Resources Code § 21083.2 and CEQA Guidelines § 15126.4(b). The plan must include:

- *Research design;*
- *Discussion of relevant research questions that can be addressed by the CA-SBA-56 resources;*
- *Methods used to gather data, including data from previous studies;*
- *Laboratory methods to analyze the data;*
- *An assessment of artifacts recovered and any corresponding field notes, graphics, and lab analyses; and*
- *Results of investigations.*

The plan must provide for a systematic sample of the area to be capped, such that the research value of the deposit is adequately characterized.

The Phase 3 must be funded by the applicant and must be prepared by a City-approved archaeologist. The Phase 3 must be documented in a draft and final report and must be reviewed and approved by a City-retained archaeologist. Pursuant to City Cultural Resource Guidelines, the final report, archaeological collections, field notes, and other standard documentation must be permanently curated at the UCSB Repository for Archaeological Collections.

The Phase 3 must specify that a local Chumash Native American consultant must be retained by the applicant to observe all excavation activity associated with the Program. The consultant must maintain daily notes and documentation necessary, and provide the observation notes and documentation to all interested Chumash representatives who request to be informed of the Phase 3 excavation progress.

**Timing:** A Phase 3 research design prepared pursuant to City of Goleta's *Cultural Resources Guidelines*, and a copy of a contract (including a detailed scope of work) between the applicant and a City-approved archaeologist and Chumash Native American consultant for the Phase 3 program, and the subsequent draft and final Phase 3 report, must be reviewed and approved by the City and City-retained archaeologist (funded by the applicant) before recordation of the final map. Upon completion of the Phase 3 study and all contact requirements, the applicant must notify the City in writing of the completed efforts in a bond acceptable to the City. This includes the completion of the curation of items collected during the Phase 3 mitigation. A summary letter outlining the successful completion of all mitigation



excavations must be reviewed and approved by the City and City-retained archaeologist prior to issuance of any Zoning Clearance for grading within the archaeological resource area, including the placement of fill over the Northern Midden Area. All Phase 3 and curation requirements must be met prior to issuance of occupancy of the first residential building (either Affordable or Market rate Housing units).

**Monitoring:** The Phase 3 Data Recovery Program must be submitted for approval by the City and City-approved archaeologist before the applicant records a final map. City staff and the City-retained archaeologist must periodically site inspect to verify completion of the Phase 3 field work and review and approve the summary letter outlining the completion of excavations prior to issuance of Zoning Clearance for grading within the archaeological resource area. Curation may be completed after the issuance of the Zoning Clearance, as long as the Phase 3 excavations have been completed and verified by the City and City-retained archaeologist. The City-retained archaeologist must review and approve the draft and final Phase 3 reports prior to issuance of occupancy permit for the first residential building (either Affordable or Market rate Housing units). The applicant must provide the City with a letter from the UCSB Repository for Archaeological Collections indicating that all required materials have been accepted for curation prior to the release of the cultural resource bond.

**CR-1(b) Surface Preparation and Fill Soils within CA-SBA-56.** Preparation of the ground surface and the placement of fill soils within the CA-SBA-56 boundary must be low impact and adhere to the following requirements:

- *Systematically collect all diagnostic artifacts on the ground surface;*
- *Remove all organic material from the archaeological site Northern Midden Area surface by hand (including brushing, raking, or use of power blower);*
- *Place a layer of Tensar geotextile grid over all archaeological site areas to receive fill;*
- *Use fill soils within 1 pH of that identified in the Northern Midden Area soils, as evaluated in the field prior to construction;*
- *Use a contrasting color and/or gradation for the lower six inches of fill soils, signaling to any future sub-surface activity (e.g., landscaping activity) that excavation shall not extend deeper; and*
- *Place a minimum of 12 inches additional fill material over the contrasting soil;*
- *Place the fill soils ahead of the loading equipment so that the machine does not have contact with the archaeological site surface.*
- *Moisten fill soils sufficient so that they are cohesive under the weight of the heavy equipment as the material is spread out over the archaeological site and buffer area.*

**Plan Requirements and Timing:** Before the City issues any grading permit, the Planning and Environmental Review Director or designee must approve a



Construction Monitoring Plan prepared by the applicant and a City-approved archaeologist. Plan specifications for the monitoring must be printed on all plans submitted for grading, landscaping, and building permits. The applicant must enter into a contract with a City-approved archaeologist and an applicant selected Chumash Native American consultant(s) and must fund the provision of on-site archaeological/cultural resource monitoring during initial grading and excavation activities prior to any Zoning Clearance issuance for grading. The contract should be executed at least two weeks prior to the Zoning Clearance issuance for grading.

**Monitoring:** The Planning and Environmental Review Director, or designee, and a City-retained archaeologist must approve the Construction Monitoring Plan and ensure there is a valid contract with an archaeologist and a Chumash Native American consultant, and must conduct periodic field inspections to verify compliance during ground-disturbing activities.

**CR-1(c) Excavations within Northern Midden Area.** Excavations for all landscaping and recreational improvements within the Northern Midden Area cannot encroach within the initial six inches of contrasting soil placed above the geotextile grid and existing ground surface.

**Plan Requirements and Timing:** This requirement must be printed on all plans submitted for any Zoning Clearance for grading. The area where excavations would not encroach on the Northern Midden Area as specified herein must be clearly marked on the plans.

**Monitoring:** The Planning and Environmental Review Director, or designee, must conduct periodic field inspections to verify compliance during ground-disturbing activities.

**CR-1(d) Monitoring.** Before initiating any staging areas, vegetation clearing, or grading activity, the applicant and construction crew must meet on-site with City staff, a City-retained archaeologist, and local Chumash consultant(s) and present the procedures to be followed in the unlikely event that cultural artifacts are discovered during ground disturbances outside of the CA-SBA-56 Northern Midden Area.

A City-approved archaeologist and local Chumash consultant must monitor all ground-disturbing activities on the Project site, including surface vegetation removal and the Phase 3 Data Recovery Program. The monitor(s) must have the following authority:

- 1) The archaeological monitor(s) and Chumash consultant(s) must be on-site on a full-time basis during any earthmoving activities, including preparation of the area for capping, grading, trenching, vegetation removal, or other excavation activities. The monitors will continue their duties until it is determined through consultation with the applicant, City Planning and Environmental Review Director or designee, archaeological



- consultant, and Chumash consultant that monitoring is no longer warranted;
- 2) The monitor(s) may halt any activities impacting previously unidentified cultural resources and conduct an initial assessment of the resource(s). If cultural resources of potential importance are uncovered during construction, the following must occur per the Goleta General Plan Open Space Policy 8.6
    - a. The grading or excavation shall cease and the City shall be notified.
    - b. A qualified archeologist shall prepare a report assessing the significance of the find and provide recommendations regarding appropriate disposition.
    - c. Disposition will be determined by the City in conjunction with the appropriate Chumash consultant.
  - 3) If an artifact is identified as an isolated find, the monitor(s) must recover the artifact(s) with the appropriate locational data and include the item in the overall inventory for the site;
  - 4) If a feature or concentration of artifacts is identified, the monitor must halt activities in the vicinity of the find, notify the applicant and the Planning and Environmental Review Director or designee, and prepare a proposal for the assessment and treatment of the find(s). This treatment may range from additional study to avoidance, depending on the nature of the find(s);
  - 5) The monitor must prepare a comprehensive archaeological technical report documenting the results of the monitoring program and include an inventory of recovered artifacts, features, etc.;
  - 6) The monitor must prepare the artifact assemblage for curation with UCSB and include an inventory with the transfer of the collection; and
  - 7) The monitor must file an updated archaeological site survey record with the UCSB Central Coastal Information Center.

**Plan Requirements and Timing:** This requirement must be printed on all plans submitted for any Zoning Clearance, building, grading, or demolition permits. The applicant must enter into a contract with a City-approved archaeologist and applicant-selected Chumash consultant and must fund the provision of on-site archaeological/cultural resource monitoring during initial grading and excavation activities before issuance of a Zoning Clearance. Plan specifications for the monitoring must be printed on all plans submitted for grading, and building permits. The contract should be executed at least two weeks prior to the Zoning Clearance issuance for grading.

**Monitoring:** City Planning and Environmental Review Director or designee must conduct periodic field inspections to verify compliance during ground-disturbing activities.



**CR-1(e) Continued Chumash Consultation.** Previous Chumash consultation with the City of Goleta and Project applicant resulted in the archaeological site CA-SBA-56 being identified as important to the Chumash community. Continued Chumash consultation must occur throughout the remainder of the Project including any design changes, alternatives analysis, or mitigation measure implementation to ensure that impacts to CA-SBA-56 are mitigated in a manner that would be respectful of the site's Chumash heritage.

**Plan Requirements and Timing:** This condition must be printed on all building and grading plans.

**Monitoring:** The Planning and Environmental Review Director or designee must check plans before the City issues a Zoning Clearance and must spot check in the field throughout grading and construction.

**CR-1(f) Human Remains.** Before initiating any staging areas, vegetation clearing, or grading activity, the applicant and construction crew must meet on-site with City staff, a City-retained archaeologist, and local Chumash consultant(s) and present the procedures to be followed in the unlikely event that human remains are uncovered. These procedures must include those identified by Public Resources Code § 5097.98. If the remains are determined to be of Chumash descent, the County Coroner has 24 hours to notify the Native American Heritage Commission (NAHC). The NAHC will then identify the person(s) thought to be the Most Likely Descendent (MLD) of the deceased Chumash. The MLD will then in consultation with the City-approved archaeologist and appropriate local Chumash consultant(s) determine what course of action should be taken in dealing with the remains, so as to limit future disturbance.

**Plan Requirements and Timing:** Before the City issues permits for any ground disturbance, the applicant must provide the City Planning and Environmental Review Director or designee the contact information of the Chumash consultant and the agreed upon procedures to be followed. In the event that remains are found and if the remains are found to be of Chumash origin, the County Coroner will notify the Native American Heritage Commission and the Commission will name the Most Likely Descendant (MLD). The MLD, City-retained archaeologist, applicant, and City Planning and Environmental Review staff will consult as to the disposition of the remains. If the remains are identified as non-Chumash, the County Coroner will take possession of the remains and comply with all state and local requirements in the treatment of the remains.

**Monitoring:** The Planning and Environmental Review Director or designee must confirm that the County Coroner is notified in the event human remains are found, and that the Native American Heritage Commission is contacted if the remains are of Chumash origin.



**Residual Impact.** With implementation of the above mitigation measures, potential impacts to known and as-yet undetected archaeological resources would be reduced to a less than significant level.

**Impact CR-2**    **The Project would result in a permanent reduction in the heritage value associated with a known undisturbed human burial and tribal cultural resource site located at the Northern Midden Area. This would be a Class II, significant but mitigable impact [Thresholds 2 and 4].**

As described above, an intact undisturbed human burial was identified within the Northern Midden Area during Extended Phase I archaeological testing in 1996. The human burial is located within the proposed native plant landscape open space. Protective fill would be placed above the burial to create undulating hummocks and the burial would be at least 25 feet from the nearest designated trail, to preclude future foot traffic over this particularly sensitive location.

The heritage value of a resource is dependent on the values placed on the resource by culturally affiliated descendent communities. These values will vary based on the descendent community but may include the resource's ability to expand traditional knowledge, contribute to religious practices, or represent a sacred location. Other values placed on a resource may include aesthetic value, artistic value, or scientific/research value. Burial sites are often considered sacred to traditional communities, including Native Americans. Descendent communities may view disturbances to a known burial site as diminishing the heritage value of the site.

As discussed in the Setting, the provisions of AB 52 requiring tribal consultation are not required for the Project because the NOP for the Project was distributed in April 2015, prior to AB 52 going into effect. However, the provisions of SB 18 are required for the project, and the City conducted consultation with Native American tribal representatives in 2016 and 2017 regarding CA-SBA-56. On March 22, 2021, the City sent letters to the local Native American contacts identified by the NAHC to notify them of the Project design changes. The Coastal Band of the Chumash Nation did not respond to consultation requests sent by the City in 2016 and 2017 for the Project, but did consult on the adjacent Willow Springs II project and stated that CA-SBA-56 was important to their heritage. To date, the City has not received responses to Native American outreach efforts conducted in 2021. Nevertheless, during 2016 and 2017 consultation, representatives of the Barbareño Band stated that CA-SBA-56 is a significant resource, and that the proposed Mitigation Measures CR-1(a) through CR-1(f) and CR-2(a) and CR-2(b) would reduce impacts to a Class II, significant but mitigable, level. Therefore, based on these consultation efforts, the Project would result in a significant but mitigable impact to the heritage value of these tribal cultural resources.

**Mitigation Measures.** Mitigation Measures CR-1(a) through CR-1(f) and the measures below would reduce the Project's impact on the heritage value of this tribal cultural resource.

**CR-2(a)    Landscape Plan Review.** The applicant must demonstrate that the Open Space Landscape Plan has been reviewed and approved by the local Chumash community to ensure appropriate treatment of heritage resources within the Northern Midden Area of CA-SBA-56.

**Plan Requirements and Timing.** This requirement must be printed on the Final Open Space Landscape Plan and approved by a city approved archaeologist. Confirmation that the local Chumash community was





consulted and has approved the Final Open Space Landscape Plan must be submitted for any Zoning Clearance issued for grading.

**Monitoring.** The Planning and Environmental Review Director, or designee, must receive evidence of the local Chumash community's approval of the Final Open Space Landscape Plan to verify compliance with this measure.

**CR-2(b) Chumash Heritage Monument.** The applicant must incorporate a monument placed adjacent to the Open Space passive recreational trail to highlight the Chumash heritage of the Project area. A Chumash Heritage Monument Plan must be reviewed and approved by representatives of the local Chumash community.

**Plan Requirements and Timing.** This requirement must be printed on all plans submitted for any Zoning Clearance issued for grading. Confirmation that the local Chumash community was consulted and has approved the Chumash Heritage Monument Plan must be submitted for any Zoning Clearance for grading. The monument will be installed prior to the condition of occupancy.

**Monitoring.** The Planning and Environmental Review Director, or designee, must receive evidence of the local Chumash community's approval of the Chumash Heritage Monument Plan to verify compliance with this measure.

**Residual Impact.** Because of the direct impacts to a Native American site with a known human burial, there is a potential to impact the heritage value of this known tribal cultural resource. Representatives of the Barbareño Band have agreed that Mitigation Measures CR-1(a) through CR-1(f) and CR-2(a) and CR-2(b) would reduce impacts. Therefore, with implementation of Mitigation Measures CR-1(a) through CR-1(f) as well as the above mitigation measures, potential impacts to the heritage value of CA-SBA-56 would be reduced to a less than significant level.

**Impact CR-3 Excavations in the low-lying areas surrounding the elevated knoll have low potential to contribute to the understanding of CA-SBA-56 occupations. This would be a Class III, less than significant impact [Threshold 2].**

Proposed improvements would result in ground disturbance in the low-lying areas surrounding the elevated knoll. Excavations would extend up to five feet below grade for two bioretention basins and three feet below grade for two bioswales. Four residential buildings with two-foot-deep foundations would also encroach on the low-lying area soils. In addition, landscaping with ornamental trees, shrubs, and turf, as well as irrigation, would require excavations up to two feet deep. However, the low-lying areas have sparse or no cultural remains, based on the findings of Extended Phase 1 and Phase 2 archaeological investigations. Any cultural remains in the low-lying areas have been determined from the Extended Phase 1 and Phase 2 archaeological investigations to have low potential to contribute to the understanding of CA-SBA-56 occupations and are not significant cultural resources pursuant to the *CEQA Guidelines* and the *City's Environmental Thresholds and Guidelines Manual*.



**Mitigation Measures.** Mitigation is not required because this impact would be less than significant.

**Residual Impact.** This impact would be less than significant without mitigation.

**c. Cumulative Impacts.** Cumulative development in the Goleta Valley would continue to disturb areas that may potentially contain cultural resources, including archaeological resources. Two approved/constructed projects, the Marriott Residence Inn and Cortona Apartments, are known to involve impacts to cultural resources. However, all potential development sites in the City are considered sensitive for archaeological resources due to their location adjacent to the Goleta Slough. Existing City policies and regulations would protect any unknown resources that might be uncovered in the course of project development. As discussed in Section 4.4.1, *Setting*, City policies require protection of cultural resources through, among other techniques, appropriate site design, monitoring of grading activities in archaeologically sensitive areas, avoidance or/ or capping of identified resources, and coordination with the Chumash consultant(s). While there is the potential for significant cumulative impacts to cultural resources within the Goleta Slough area, it is anticipated that potential impacts associated with individual development projects will be addressed on a case-by-case basis in accordance with City requirements.

CA-SBA-56 has been subject to previous impacts resulting from the development of the Willow Springs I and Willow Springs II projects. While environmental review of these previous projects determined that impacts to this resource were reduced to a less than significance level through mitigation, the cumulative impact to CA-SBA-56 as a whole is potentially significant. Pursuant to CEQA Guidelines § 15355, cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time. The Project's impacts to tribal cultural resources related to CA-SB-56 would be reduced to less than significant with implementation of Mitigation Measures CR-1(a) through CR-1(f). Nevertheless, the project's contribution to cumulative cultural resource impacts would remain significant and unavoidable.



## 4.5 GEOLOGY AND SOILS

This section discusses the Project's potential impacts relating to geologic hazards. This section is partially based on the *Geotechnical Engineering Report* included in Appendix E.

### 4.5.1 Setting

#### a. Geological Setting.

Regional. The City of Goleta occupies a portion of the eight-mile long and three-mile wide flat alluvial plain known as the Goleta Valley (City of Goleta, 2006). The Goleta Valley is a broad, flat alluvial plain bordered on the south by the bluffs of the Pacific coastline, and on the north by foothills and terraces of the foreland of the Santa Ynez Mountain Range. It generally slopes gently into the Goleta Slough, which is located in the south central portion of the valley (City of Goleta, 2004).

Project Site. The site is relatively flat to gently sloping with the exception of the moderately steep slopes that surround the stockpile soils that were previously placed along the perimeter of the archeological area in the center of the project site and the property lines. Topography within the archaeological area is characterized by a modest ridge that trends generally northwest to southeast between 25 and 36 feet above sea level (ASL). Low-lying level soils drain generally to the south. Soil stockpiling has resulted in elevating surrounding topography to approximately 43 ASL. As a result, the central portion of the site has the highest elevations on the property and forms a ridge that divides the site drainage, with approximately half of the site draining in a westerly direction and half of the site draining in an easterly direction from the higher, center portion of the site.

Soils in the project area are mapped as Goleta fine sandy loam, 0% to 2% slopes, Milpitas-Positas fine sandy loam, 2% to 9% slopes, and Xerorthents (dry, shallow, erosional soils) cut and fill areas (United States Geological Survey, 1982). A sparse to moderate growth of weeds and brush covers the site. Vegetative cover on the site is variable and dependent upon the activity of the stockpile. The project site's general subsurface profile consists of fill soils overlying alluvial soils. The fill soils are sands in a slightly moist to moist condition with a loose to medium dense consistency. The underlying alluvium was generally moist to wet layered sand, silt, and clay soils. The sands are loose to very dense, and the clays were very soft to hard. Fine to coarse gravel was also observed within the fill and alluvial soils. Subsurface water was encountered at approximate depths ranging from 22.5 to 38 feet below the existing ground surface.

**b. Seismic and Other Geologic Hazards.** Similar to much of California, the project site is located within a seismically active region. The Transverse Ranges are characterized by east-west trending structural features in contrast to the dominant northwest-southeast structural trend of California. The nearest confirmed, seismically active fault to the project site is the North Channel Slope Fault located four miles offshore. The closest Alquist-Priolo mapped earthquake fault is over 20 miles to the southeast (Pitas Point/Red Mountain Faults). The More Ranch Fault is located approximately 1 mile south of the Project site, and is characterized as active in the Santa Barbara County Comprehensive Plan Seismic Safety and Safety Element.

Other potential seismic hazards known to occur within the vicinity of the project site include ground rupture, ground acceleration, and liquefaction. The site is approximately 1.6 miles from the Pacific Ocean. The majority of the site is within a Potential Tsunami Runup Area according to the Goleta



General Plan/Coastal Land Use Plan (“General Plan”) Fire, Flood, and Tsunami Hazards Map (2016). The northwestern corner of the project site is outside of the Potential Tsunami Runup Area. Tsunamis are discussed further in Section 4.8, *Hydrology and Water Quality*.

Fault Rupture. Seismically-induced ground rupture occurs as the result of differential movement across a fault. An earthquake occurs when seismic stress builds to the point where rocks rupture. As the rocks rupture, one side of a fault block moves relative to the other side. The resulting shock wave is the earthquake. If the rupture plane reaches the ground surface, ground rupture occurs. Potentially active faults are those that have moved during the last 2.5 million years, but not during the last 10,000 years while active faults show evidence of movement within the last 10,000 years. No fault zones are located on the project site according to the General Plan Geologic Hazards Map (2009).

Groundshaking. The International Building Code (IBC) classifies structures into Seismic Design Categories, which involves more than the location of the structure as is the case with the Uniform Building Code (UBC). Seismic Design Categories includes classifications of A-F and are based on three criteria:

1. *Probable site ground motions, which is based on Federal Emergency Management Agency maps, the maximum spectral acceleration and the design acceleration response;*
2. *Soil site class, which are based on soil classifications A-F (hard rock, rock, very dense soil/soft rock, stiff soil, soft soil and special soil); and*
3. *Building occupancy use, which is broken down by four types – Type IV (agricultural buildings), Type III (essential buildings), Type II (structures that represent a substantial hazard in the event of a collapse), Type I (all other buildings).*

The process to determine the applicable Seismic Design Category must be done by an engineer.

Liquefaction and Seismically Induced Settlement. Liquefaction is a seismic phenomenon in which loose, saturated granular and non-plastic fine grained soils lose their structure/strength when subjected to high-intensity ground shaking. Liquefaction occurs when three general conditions exist:

1. *Shallow groundwater (within the top 50 feet of the ground surface);*
2. *Low density non-plastic soils; and*
3. *High intensity ground motion.*

These conditions are present at the project site and foundation soils may be subject to liquefaction. Loose granular soil can also settle (compact) during liquefaction and as pore pressures dissipate following an earthquake. According to the *Geotechnical Engineering Report* (Earth Systems Pacific, 2014, refer to Appendix E), soil borings and the results of six cone penetrometer test soundings indicate that there is a potential for liquefaction to occur in some layers of the saturated alluvial soils on the project site. If liquefaction were to occur at the site, the repercussions would likely be in the form of dynamic settlement (compression and loss of soil volume). Due to the relative thickness or depth of the overlying non-liquefiable soils and the site's relatively flat topography, loss of soil bearing and lateral spreading are not likely.

Settlement (total and differential) can occur when foundations and surface improvements span materials having variable consolidation characteristics, such as the soils on the project site with variable



in situ moisture and density. Such a situation could stress and possibly damage foundations and surface improvements, often resulting in severe cracks and displacement.

Expansive Soils. Soils with relatively high clay content are expansive due to the capacity of clay minerals to take in water and swell (expand) to greater volumes. According to the Earth Systems Pacific *Geotechnical Engineering Report*, previous expansion index testing of the clay soils produced values that place these soils in the "medium" expansion category. Expansive soils tend to swell with seasonal increases in soil moisture and shrink during the dry season as soil moisture decreases. The volume changes that the soils undergo in this cyclical pattern can stress and damage slabs and foundations if precautionary measures are not incorporated in design and in the construction procedure.

Corrosive Soils. Based on the Earth Systems Pacific *Geotechnical Engineering Report*, site soils are classified as "moderately corrosive to corrosive" to certain construction materials that would be in contact with the soils.

Erosive Soils. Soil erosion is the removal of soil by water and wind. Factors that influence erosion potential include the amount of rainfall and wind, the length and steepness of the slope, and the amount and type of vegetative cover. According to the Earth Systems Pacific *Geotechnical Engineering Report*, site soils are highly erodible.

**c. Regulatory Setting.** The California Building Code (CBC), the Alquist-Priolo Earthquake Fault Zoning Act, the Seismic Hazards Mapping Act, the Goleta General Plan, and the Goleta Municipal Code (GMC) prescribe measures to safeguard life, health, property and public welfare from geologic hazards. Each of these is described below:

California Building Code. California law provides a minimum standard for building design through the California Building Code (CBC) (C.C.R. Title 24). Chapter 23 of the CBC contains specific requirements for seismic safety. Chapter 29 regulates excavation, foundations, and retaining walls. Chapter 33 of the CBC contains specific requirements pertaining to site demolition, excavation, and construction to protect people and property from hazards associated with excavation cave-ins and falling debris or construction materials. Chapter 70 of the CBC regulates grading activities, including drainage and erosion control. Construction activities are subject to occupational safety standards for excavation, shoring, and trenching as specified in California Division of Occupational Safety and Health (Cal/OSHA) regulations (C.C.R. Title 8).

Alquist-Priolo Earthquake Fault Zoning Act. The Alquist-Priolo Earthquake Fault Zoning Act was signed into law in 1972 (Public Resources Code § 2621, et seq.; 14 C.C.R. §§ 3600, et seq.). The purpose of this Act is to prohibit the location of most structures for human occupancy across the traces of active faults and to thereby mitigate the hazard of fault rupture. Under the Act, the State Geologist identifies "Earthquake Fault Zones" along known active faults in California (14 C.C.R. §3601). Cities and counties affected by the zones must regulate certain development projects within the zones. They must withhold development permits for sites within the zones until geologic investigations demonstrate that the sites are not threatened by surface displacement from future faulting (14 C.C.R. §3603).

Seismic Hazards Mapping Act. The California Geologic Survey, formerly the California Department of Conservation, Division of Mines and Geology (CDMG), provides guidance with regard to seismic hazards. Under CDMG's Seismic Hazards Mapping Act (1990), seismic hazard zones are to be identified and mapped to assist local governments in land use planning (Public Resources Code §§ 2690, et seq.). The intent of



these maps is to protect the public from the effects of strong ground shaking, liquefaction, landslides, ground failure, or other hazards caused by earthquakes. In addition, CDMG's Special Publications 117, "Guidelines for Evaluating and Mitigating Seismic Hazards in California," provides guidance for the evaluation and mitigation of earthquake-related hazards for projects within designated zones of required investigations.

City of Goleta Regulations. The Safety Element of the Goleta General Plan contains policies intended to reduce the potential for geologic hazards to adversely affect people and property, including the following:

- SE 1.3** ***Site-Specific Hazards Studies.** Applications for new development shall consider exposure of the new development to coastal and other hazards. Where appropriate, an application for new development shall include a geologic/soils/geotechnical study and any other studies that identify geologic hazards affecting the proposed project site and any necessary mitigation measures. The study report shall contain a statement certifying that the project site is suitable for the proposed development and that the development will be safe from geologic hazards. The report shall be prepared and signed by a licensed certified engineering geologist or geotechnical engineer and shall be subject to review and acceptance by the City.*
  
- SE 1.6** ***Enforcement of Building Codes. [GP]** The City shall ensure through effective enforcement measures that all new construction in the city is built according to the adopted building and fire codes.*
  
- SE 4.3** ***Geotechnical and Geologic Studies Required. [GP/CP]** Where appropriate, the City shall require applications for planning entitlements for new or expanded development to address potential geologic and seismic hazards through the preparation of geotechnical and geologic reports for City review and acceptance.*
  
- SE 4.5** ***Adoption of Updated California Building Code Requirements. [GP]** The City shall review, amend, and adopt new California Building Code requirements, when necessary, to promote the use of updated construction standards. The City shall consider and may adopt new optional state revisions for Seismic Hazards.*

The GMC adopts the most recent CBC and contains additional requirements for construction in the City (Chapter 15, Buildings and Construction) (15 GMC, § 15.01, et seq.).

## 4.5.2 Impact Analysis

**a. Methodology and Significance Thresholds.** Assessment of impacts is based on review of site information and conditions and City information regarding geologic issues. In accordance with the CEQA Guidelines, a project would result in a significant impact if it would:



1. *Directly or indirectly cause ~~Expose people or structures to~~ potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, including liquefaction, or landslides;*
2. *Result on substantial soil erosion or the loss of topsoil;*
3. *Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse;*
4. *Be located on expansive soil, creating substantial risks to life or property; or*
5. *Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater.*

Per the City's *Environmental Thresholds and Guidelines Manual* (2021), impacts are classified as potentially significant with regard to geology if:

- A. The project site or any part of the project is located on land having substantial geologic constraints, as determined by Planning and Environmental Review or Public Works departments. Areas constrained by geology include parcels located near active or potentially active faults and property underlain by rock types associated with compressible/collapsible soils or susceptible to landslides or severe erosion. "Special Problems" areas designated by the Board of Supervisors have been established based on geologic constraints, flood hazards and other physical limitations to development;
- B. The project results in potentially hazardous geologic conditions such as the construction of cut slopes exceeding a grade of 1.5 horizontal to 1 vertical;
- C. The project proposes construction of a cut slope over 15 feet in height as measured from the lowest finished grade; and
- D. The project is located on slopes exceeding 20% grade.

Based on the *Geotechnical Engineering Report* and the geologic hazards mapping in the General Plan, geologic hazards posed by onsite septic systems, fault rupture, landslides, lateral spreading, and slopes exceeding 20% grade would be less than significant [*Thresholds A and D*]. In addition, the Project involves no construction of cut slopes exceeding a grade of 1.5:1 or construction of a cut slope over 15 feet in height [*Thresholds B and C*]. Consequently, impacts related to these thresholds would be less than significant and are discussed in Section 4.17, *Effects Found Not to be Significant*.

#### **b. Project Impacts and Mitigation Measures.**

**Impact GEO-1 Project site soils are prone to liquefaction, which could cause settlement in a seismic event and expose on-site structures to property damage. Impacts would be Class II, significant but mitigable [*Thresholds 1 and 3*].**

As discussed in Section 4.5.1, *Setting*, soil borings and the results of six cone penetrometer test soundings indicate that there is a potential for liquefaction to occur in some layers of the saturated





alluvial soils on the project site. Liquefaction could result in settlement that could cause property damage.

The combined magnitude of both liquefaction and seismically induced settlement would be less than four inches. The magnitude of differential settlement was estimated to be less than two inches. As described in the *Geotechnical Engineering Report* (Earth Systems Pacific, 2014), settlement resulting from liquefaction and seismic activity may damage foundations and surface improvements if grading of the project site is not completed to the recommendations in the *Geotechnical Engineering Report*. Therefore, this impact is potentially significant, and mitigation is required to ensure that grading is completed to the recommendations of the *Geotechnical Engineering Report*.

**Mitigation Measure.** Mitigation Measure GEO-1 would reduce impacts related to seismically induced liquefaction to a less than significant level. To reduce the potential for settlement within the archaeological area, special grading techniques will need to be implemented to minimize the impact of site development in this area. Accordingly, recommendations from the *Geotechnical Engineering Report* for the archaeological area and buffer zone are included in Mitigation Measure GEO-1.

**GEO-1 Geotechnical Design Considerations.** The recommendations in the *Geotechnical Engineering Report* (Earth Systems Pacific, 2014) related to soil engineering within and outside of the Archaeological Area must be incorporated into the Project's grading and building plans, as summarized here:

Areas Outside the Archaeological Area:

- *All existing fill soils should be completely removed and replaced as compacted fill. Any existing utilities that will not be serving the site must be removed or properly abandoned*
- *Voids created by the removal of materials or utilities, and extending below the recommended overexcavation depth, must be immediately called to the attention of the geotechnical engineer. No fill may be placed unless the geotechnical engineer has observed the underlying soil*
- *Following site preparation, soils in the building area should be removed to a level plane at a minimum depth of 3 to 8 feet below the bottom of the deepest footing or 3 to 8 feet below existing grade, whichever is deeper, as recommended by the geotechnical engineer in the field*
- *Soils in the surface improvement area should be removed to a level plane at a minimum depth of 1-foot below the proposed subgrade elevation or 2 feet below the existing ground surface, whichever is deeper*
- *Soils in the fill areas beyond the building and surface improvement areas should be removed to a depth of 2 feet below the existing ground surface*
- *Stabilization of surface soils by vegetation or other means during and following construction must be implemented, particularly those disturbed during construction*

Areas Inside the Archaeological Area, including the 50-foot Archaeological Buffer Zone:



- Existing ground surface in the grading area inside of the archaeological area should be prepared for construction by removing the stockpile soils and all other existing fill soils down to the native soil surface
- Before removing vegetation, vegetation should be sprayed with topical herbicide per manufacturer's specifications approximately 60 days before implementing grading operations. The herbicide is more effective when applied to plant leaves for better absorption
- All vegetation, debris, and other deleterious material should be removed from the native soil surface by hand (can include brushing, raking, or the use of a power blower) to the degree practicable at the ground surface such that no soil disturbance occurs
- ~~Remnants of the vegetation should then be sprayed with topical herbicide per manufacturer's specifications approximately 60 days prior to implementing grading operations~~
- Root ball masses must be left in place to die
- Any existing utilities that will not be serving the site must be removed or properly abandoned. The appropriate method of utility abandonment will depend upon the type and depth of the utility
- Surface vegetation removal and herbicide application must be accomplished 60 days prior to the geogrid placement; it is acceptable to place import sand on the native soil surface where uneven areas or undulations exist to create as level a surface as practicable to place the geogrid on as it improves both the constructability and performance of the geogrid system
- The native soil surface must be covered with a tri-axial geogrid such as Tensar TX 7, or an approved equivalent. The geogrid must be anchored and/or overlapped as recommended by the manufacturer prior to placing any fill soil
- The first 6 inches of fill placed on top of the geogrid must be an imported sand material reviewed and approved by the City of Goleta to provide a visual indication to avoid impeding into the native soils
- Fill soils must be placed and spread from the outside to the inside of the archeological area with track earthmoving equipment such that the equipment must only be working on top of the fill soils. The fill soils must be placed such that the earthmoving equipment does not come into contact with the archeological area native soils or the geogrid

Grading (General):

- On-site material and approved import materials may be used as general fill and up to 18 inches below the bottom of the slab-on-grade elevation within the building area where conventional foundations will be used
- A minimum of 18 inches of nonexpansive material when measured from the bottom of the conventional foundation slabs-on-grade should be placed in the building area
- Proposed imported soils should be evaluated by a geotechnical engineer before being used, and on an intermittent basis during placement on the site



- *All materials used as fill should be cleaned of any debris and rocks larger than 6 inches in diameter, and no rocks larger than 3 inches in diameter should be used within the upper 3 feet of finish grade*
- *Fill slopes should be keyed and benched into competent soil*
- *Slopes under normal conditions should be constructed at 2:1(horizontal to vertical) or flatter inclinations. Slopes subject to inundation should be constructed at 3:1 or flatter inclinations*
- *Stabilization of surface soils by vegetation or other means during and following construction must be implemented, particularly those disturbed during construction*

If the portions of the site cannot be graded to those recommendations, rigid mat foundations should be used in lieu of conventional foundation systems.

Foundations:

- *Foundations must not be constructed within 10 feet of LID drainage improvements. If this is not the case, the geotechnical engineer must review the type of LID drainage improvement planned within 10 feet of a foundation to ascertain if revised and/or supplemental foundation recommendations are needed*
- *Conventional and Rigid Mat Foundations systems must be engineered in accordance with the recommendations contained in the Geotechnical Engineering Report (Earth Systems Pacific, 2014)*

**Plan Requirements and Timing.** Grading and building plans must be submitted for review and approval by the Planning and Environmental Review Director or designee before the City issues grading and building permits.

**Monitoring.** The Project soils engineer must observe all excavations before placement of compacted soil, gravel backfill, or rebar and concrete and report observations to the City. The City will conduct field inspections as needed.

**Significance After Mitigation.** Implementation of Mitigation Measure GEO-1 would reduce potential impacts due to liquefaction resulting in settling of soils on the site to a less than significant level by requiring removal of onsite soils, moisture conditioning, and compaction of surfaces before placing appropriate fill soils or a rigid mat foundation system. As noted above, Mitigation Measure GEO-1 includes special grading techniques to minimize the impact of site development in the archaeological area.

**Impact GEO-2** *Expansive soils are present on the project site, which could damage slabs and foundations. Impacts would be Class II, significant but mitigable [Threshold 4].*

As discussed in Section 4.5.1, *Setting*, according to the Earth Systems Pacific *Geotechnical Engineering Report*, previous expansion index testing of the clay soils on the project site produced values that place these soils in the “medium” expansion category. Expansive soils tend to swell with seasonal increases in



soil moisture and shrink during the dry season as soil moisture decreases. The volume changes that the soils undergo in this cyclical pattern can stress and damage slabs and foundations if precautionary measures are not incorporated in design and in the construction procedure. Impacts would be potentially significant.

**Mitigation Measure.** The recommendations in the *Geotechnical Engineering Report* (Earth Systems Pacific, 2014) related to removal of existing fill, site grading, and foundation design, which are required by Mitigation Measure GEO-1, would reduce impacts related to expansive soils to a less than significant level.

**Significance After Mitigation.** Implementation of Mitigation Measure GEO-1 would reduce potential impacts due to expansive soils to a less than significant level by requiring non-expansive materials or a rigid mat foundation system to be placed below all building areas.

**Impact GEO-3 Soils on the project site are highly erodible. On-site development may increase soil erosion on the project site during and after construction. Impacts would be Class II, significant but mitigable [Threshold 2].**

The Project would involve construction of ~~360~~ 332 dwelling units and associated landscaping and hardscape. Based on information provided in the Project grading plan, the amount of stockpiled dirt on the Project site totals 293,100 cubic yards. Of this 293,100 cubic yards, a total of ~~115,000~~ 92,000 cubic yards of soil would be exported off-site before construction of the Project. Excavation and grading could result in erosion of soils and sedimentation. During grading and soil storage, there is the potential for soil migration offsite via wind entrainment and/or water erosion.

Impacts would be minimized during all phases of Project construction through compliance with a City-issued Grading Permit (this permit is described in Section 4.8, *Hydrology and Water Quality*). To comply with this permit, the applicant would be required to prepare and implement a Stormwater Pollution Prevention Plan (SWPPP), which must include erosion and sediment control BMPs that would meet or exceed measures required by the City-issued Grading Permit, as well as BMPs that control other potential construction-related pollutants. Erosion control BMPs are designed to prevent erosion, whereas sediment controls are designed to trap sediment once it has been mobilized. Examples of BMPs that may be implemented during construction include the use of geotextiles and mats, temporary drains and swales, silt fences and sediments traps. Erosion control practices may include the use of drainage controls such as down drains, detention ponds, filter berms, or infiltration pits; removal of any sediment tracked offsite within the same day that it is tracked; containment of polluted runoff onsite; use of plastic covering to minimize erosion from exposed areas; and restrictions on the washing of construction equipment.

A SWPPP would be developed for the Project as required by, and in compliance with, the City-issued Grading Permit and City regulations, including grading regulations. The Construction General Permit requires the SWPPP to include a menu of BMPs to be selected and implemented based on the phase of construction and the weather conditions to effectively control erosion and sediment using the Best Available Technology Economically Achievable and Best Conventional Pollutant Control Technology (BAT/BCT). As development implementation of an SWPPP is a standard requirement that would apply to the Project.



Nonetheless, soils on the project site are highly erodible. Implementation and maintenance of proper drainage and the stabilization of surface soils, particularly those disturbed during construction, by vegetation or other means during and following construction are necessary to reduce the potential of erosion damage. Impacts would be potentially significant.

**Mitigation Measure.** The recommendations in the *Geotechnical Engineering Report* (Earth Systems Pacific, 2014) related to grading, drainage and landscape maintenance, which are required by Mitigation Measure GEO-1, would reduce impacts related to soil erosion to a less than significant level.

**Significance After Mitigation.** Implementation of Mitigation Measure GEO-1 would reduce potential impacts related to soil erosion to a less than significant level by requiring soils exposed by grading to be stabilized with vegetation or other materials during and following construction.

**c. Cumulative Impacts.** Cumulative projects proposed in and around Goleta (refer to Section 3.0, *Related Projects*) would expose additional people and property to seismic and geologic hazards that are present in the region. The magnitude of geologic hazards for individual projects would depend upon the location, type, and size of development and the specific hazards associated with individual sites. Any specific geologic hazards associated with each individual site would be limited to that site without affecting other areas. In addition, existing regulations, including compliance with CBC requirements, would reduce seismic and geologic hazards to acceptable levels. Seismic and geologic hazards would be addressed on a case-by-case basis and would not result in cumulatively considerable impacts. Cumulative geologic hazard impacts would be less than significant and the Project's contribution would not be cumulatively considerable.



## 4.6 GREENHOUSE GAS EMISSIONS

This section discusses the Project's potential impacts related to emissions of greenhouse gases (GHG) and global climate change. Traffic projections used in emissions estimates are based on the *Updated Traffic and Circulation Study* dated March 2021 and *VMT Calculations* dated April 2021 prepared by Associated Transportation Engineers (ATE). The traffic and circulation study and VMT calculations are included as Appendix I to this EIR. Air quality model results and calculations are based on calculations completed by Rincon Consultants, and are included as Appendix B.

### 4.6.1 Setting

**a. Climate Change and Greenhouse Gases.** Climate change, as defined by the Intergovernmental Panel on Climate Change (IPCC), refers to a change in the state of the climate that can be identified (e.g. using statistical tests) by changes in the mean and/or the variability of its properties, and that persists for an extended period, typically decades or longer. It refers to any change in climate over time, whether due to natural variability or as a result of human activity. This usage differs from that in the United Nations Framework Convention on Climate Change (UNFCCC), where climate change refers to a change of climate that is attributed directly or indirectly to human activity that alters the composition of the global atmosphere and that is in addition to natural climate variability observed over comparable time periods. . The term "climate change" is often used interchangeably with the term "global warming," but "climate change" is preferred to "global warming" because it helps convey that there are other changes in addition to rising temperatures. The baseline against which these changes are measured originates in historical records identifying temperature changes that have occurred in the past, such as during previous ice ages. The global climate is continuously changing, as evidenced by repeated episodes of substantial warming and cooling documented in the geologic and other records. The rate of change has typically been incremental, with warming or cooling trends occurring over the course of thousands of years. The past 10,000 years have been marked by a period of incremental warming. One example being glaciers have steadily retreated across the globe during this period. However, scientists have observed acceleration in the rate of warming during the past 150 years. Per the United Nations Intergovernmental Panel on Climate Change (IPCC, 2014a), the understanding of anthropogenic warming (i.e., warming that can be attributed to human activity) and cooling influences on climate has led to a high confidence (95 percent or greater chance) that the global average net effect of human activities has been the dominant cause of warming since the mid-20<sup>th</sup> century (IPCC, 2014a).

Gases that absorb and re-emit infrared radiation in the atmosphere are called greenhouse gases (GHGs). The gases that are widely seen as the principal contributors to human-induced climate change include carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxides (N<sub>2</sub>O), fluorinated gases such as hydrofluorocarbons (HFCs) and perfluorocarbons (PFCs), and sulfur hexafluoride (SF<sub>6</sub>). Water vapor is excluded from the list of GHGs because it is short-lived in the atmosphere and its atmospheric concentrations are largely determined by natural processes, such as oceanic evaporation.

GHGs are emitted by both natural processes and human activities. Of these gases, CO<sub>2</sub> and CH<sub>4</sub> are emitted in the greatest quantities from human activities. Emissions of CO<sub>2</sub> are largely by-products of fossil fuel combustion, whereas CH<sub>4</sub> results from off-gassing associated with agricultural practices and landfills. Each IPCC assessment has used new projections of future climate change that have become more detailed as the models have become more advanced.



Man-made GHGs, many of which have greater heat-absorption potential than CO<sub>2</sub>, include fluorinated gases and sulfur hexafluoride (SF<sub>6</sub>) (United States Environmental Protection Agency [U.S. EPA], 2020). Different types of GHGs have varying global warming potentials (GWPs). The GWP of a GHG is the potential of a gas or aerosol to trap heat in the atmosphere over a specified timescale (generally, 100 years). Because GHGs absorb different amounts of heat, a common reference gas (CO<sub>2</sub>) is used to relate the amount of heat absorbed to the amount of the gas emissions, referred to as “carbon dioxide equivalent” (CO<sub>2</sub>e), and is the amount of a GHG emitted multiplied by its GWP. Carbon dioxide has a 100-year GWP of one. By contrast, methane has a GWP of 25, meaning its global warming effect is 25 times greater than carbon dioxide on a molecule per molecule basis (IPCC, 2014b).

The accumulation of GHGs in the atmosphere regulates the Earth’s temperature. Without the natural heat trapping effect of GHGs, Earth’s surface would be about 33° C cooler (World Meteorological Organization, 2020). However, it is believed that emissions from human activities, particularly the consumption of fossil fuels for electricity production and transportation, have elevated the concentration of these gases in the atmosphere beyond the level of naturally occurring concentrations. The following discusses the primary GHGs of concern.

#### Greenhouse Gases.

*Carbon Dioxide.* The global carbon cycle is made up of large carbon flows and reservoirs. Billions of tons of carbon in the form of CO<sub>2</sub> are absorbed by oceans and living biomass (aka, carbon sinks) and are emitted to the atmosphere through natural sources. When in equilibrium, carbon fluxes among these various reservoirs are roughly balanced (United States Environmental Protection Agency [U.S. EPA], April 2020). CO<sub>2</sub> was the first GHG demonstrated to be increasing in atmospheric concentration, with the first conclusive measurements being made in the second half of the 20<sup>th</sup> century. Concentrations of CO<sub>2</sub> in the atmosphere have risen approximately 40 percent since the industrial revolution. The global atmospheric concentration of CO<sub>2</sub> has increased from a pre-industrial value of about 280 parts per million (ppm) to 391 ppm in 2011 (IPCC, 2013). The average annual CO<sub>2</sub> concentration growth rate was larger between 2010 and 2020 (average: 2.4 ppm per year) than it has been since the beginning of continuous direct atmospheric measurements (1960–2010 10-year growth rate range: 0.9 to 2.0 ppm per year), although there is year-to-year variability in growth rates (NOAA, 2021). Currently, CO<sub>2</sub> represents an estimated 76 percent of total GHG emissions (IPCC, 2014b). The largest source of CO<sub>2</sub> emissions, and of overall GHG emissions, is fossil fuel combustion.

*Methane.* Methane (CH<sub>4</sub>) is an effective absorber of radiation, though its atmospheric concentration is less than that of CO<sub>2</sub> and its lifetime in the atmosphere is limited to 10 to 12 years. It has a GWP approximately 25 times that of CO<sub>2</sub>. Over the last 250 years, the concentration of CH<sub>4</sub> in the atmosphere has increased by 150 percent (IPCC, 2013), although emissions have declined from 1990 levels. Anthropogenic sources of CH<sub>4</sub> include enteric fermentation associated with domestic livestock, landfills, natural gas and petroleum systems, agricultural activities, coal mining, wastewater treatment, stationary and mobile combustion, and certain industrial processes (U.S. EPA, 2020).

*Nitrous Oxide.* Concentrations of nitrous oxide (N<sub>2</sub>O) began to rise at the beginning of the industrial revolution and continue to increase at a relatively uniform growth rate (U.S. EPA, 2016). N<sub>2</sub>O is produced by microbial processes in soil and water, including those reactions that occur in fertilizers that contain nitrogen, fossil fuel combustion, and other chemical processes. Use of these fertilizers has increased over the last century. Agricultural soil management and mobile source fossil fuel combustion are the major sources of N<sub>2</sub>O emissions. The GWP of nitrous oxide is approximately 298 times that of CO<sub>2</sub> (U.S. EPA, 2021).



*Fluorinated Gases (HFCS, PFCS, and SF<sub>6</sub>).* Fluorinated gases, such as hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfurhexafluoride (SF<sub>6</sub>), are powerful GHGs that are emitted from a variety of industrial processes. Fluorinated gases are used as substitutes for ozone-depleting substances such as chlorofluorocarbons (CFCs), hydrochlorofluorocarbons (HCFCs), and halons, which have been regulated since the mid-1980s because of their ozone-destroying potential and are phased out under the Montreal Protocol (1987) and Clean Air Act Amendments of 1990. Electrical transmission and distribution systems account for most SF<sub>6</sub> emissions, while PFC emissions result from semiconductor manufacturing and as a by-product of primary aluminum production. Fluorinated gases are typically emitted in smaller quantities than CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O, but these compounds have much higher GWPs. SF<sub>6</sub> is the most potent GHG the IPCC has evaluated.

Greenhouse Gas Emissions Inventory. Worldwide anthropogenic emissions of GHGs were approximately 49,000 million metric tons (MMT, or gigatonne) CO<sub>2</sub>e in 2010 (IPCC, 2014a). CO<sub>2</sub> emissions from fossil fuel combustion and industrial processes contributed about 65 percent of total emissions in 2010. Of anthropogenic GHGs, CO<sub>2</sub> is the most abundant, accounting for over 75 percent of total 2010 emissions. CH<sub>4</sub> emissions account for 16 percent of the 2010 total, while N<sub>2</sub>O and fluorinated gases account for 6 and 2 percent respectively (IPCC, 2014a).

Total U.S. GHG emissions were 6,676.6 MMT CO<sub>2</sub>e in 2018 (U.S. EPA, 2020). Total U.S. emissions have increased at an annual rate of 0.13 percent since 1990; emissions increased by 2.9 percent from 2017 to 2018 (U.S. EPA, 2020). The increase from 2017 to 2018 was primarily driven by increased fossil fuel combustion as a result of multiple factors, including increased energy usage from greater heating and cooling needs due to a colder winter and hotter summer in 2018 as compared to 2017. In 2018, the transportation and industrial end-use sectors accounted for 36 percent and 26 percent, respectively, of nationwide GHG emissions while the residential and commercial end-use sectors accounted for 20 percent and 17 percent of nationwide GHG emissions, respectively, with electricity emissions distributed among the various sectors (U.S. EPA, 2020).

Based upon the California Air Resources Board (CARB) California Greenhouse Gas Inventory for 2000-2018 (CARB, 2020a), California produced 425.3 MMT CO<sub>2</sub>e in 2018. The major source of GHG in California is transportation, contributing 41 percent of the state's total GHG emissions. The industrial sector is the second largest source, contributing 24 percent of the state's GHG emissions (CARB, 2020a). Electric power accounted for approximately 15 percent of the total emissions. California emissions are due in part to its large size and large population compared to other states. However, a factor that reduces California's per capita fuel use and GHG emissions, as compared to other states, is its relatively mild climate. In 2016, the State of California achieved its 2020 GHG emission reduction target of reducing emissions to 1990 levels as emissions fell below 431 MMT of CO<sub>2</sub>e (CARB, 2020a). The annual 2030 statewide target emissions level is 260 MMT of CO<sub>2</sub>e (CARB, 2017).

Potential Effects of Climate Change. Globally, climate change has the potential to affect numerous environmental resources through potential impacts related to future air temperatures and precipitation patterns. Scientific modeling predicts that continued GHG emissions at or above current rates would induce more extreme climate changes during the 21<sup>st</sup> century than were observed during the 20<sup>th</sup> century. Each of the past three decades has been warmer than all the previous decades in the instrumental record, and the decade from 2000 through 2010 has been the warmest. The observed global mean surface temperature (GMST) from 2015 to 2017 was approximately 1.0°C higher than the average GMST over the period from 1880 to 1900 (NOAA, 2020). Furthermore, several independently analyzed data records of global and regional Land-Surface Air Temperature (LSAT) obtained from station





observations jointly indicate that LSAT and sea surface temperatures have increased. Due to past and current activities, anthropogenic GHG emissions are increasing global mean surface temperature at a rate of 0.2°C per decade. In addition to these findings, there are identifiable signs that global warming is currently taking place, including substantial ice loss in the Arctic over the past two decades (IPCC, 2014a; IPCC, 2018).

According to *California's Fourth Climate Change Assessment*, statewide temperatures from 1986 to 2016 were approximately 0.6 to 1.1°C higher than those recorded from 1901 to 1960. Potential impacts of climate change in California may include reduced water supply from snow pack, sea level rise, more extreme heat days per year, more large forest fires, and more drought years (State of California, 2018). In addition to statewide projections, California's Fourth Climate Change Assessment includes regional reports that summarize climate impacts and adaptation solutions for nine regions of the state and regionally-specific climate change case studies (State of California, 2018). However, while there is growing scientific consensus about the possible effects of climate change at a global and statewide level, current scientific modeling tools are unable to predict what local impacts may occur with a similar degree of accuracy. A summary follows of some of the potential effects that could be experienced in California as a result of climate change.

*Air Quality.* Scientists project that the annual average maximum daily temperatures in California could rise by 2.4 to 3.2°C in the next 50 years and by 3.1 to 4.9°C in the next century (State of California, 2018). Higher temperatures are conducive to air pollution formation, and rising temperatures could therefore result in worsened air quality in California. As a result, climate change may increase the concentration of ground-level ozone, but the magnitude of the effect, and therefore its indirect effects, are uncertain. In addition, as temperatures have increased in recent years, the area burned by wildfires throughout the state has increased, and wildfires have occurred at higher elevations in the Sierra Nevada Mountains (State of California, 2018). If higher temperatures continue to be accompanied by an increase in the incidence and extent of large wildfires, air quality could worsen. Severe heat accompanied by drier conditions and poor air quality could increase the number of heat-related deaths, illnesses, and asthma attacks throughout the state. However, if higher temperatures are accompanied by wetter, rather than drier conditions, the rains could temporarily clear the air of particulate pollution, which would effectively reduce the number of large wildfires and thereby ameliorate the pollution associated with them (California Natural Resources Agency, 2009).

*Water Supply.* Analysis of paleoclimatic data (such as tree-ring reconstructions of stream flow and precipitation) indicates a history of naturally and widely varying hydrologic conditions in California and the west, including a pattern of recurring and extended droughts. Uncertainty remains with respect to the overall impact of climate change on future precipitation trends and water supplies in California. Year-to-year variability in statewide precipitation levels has increased since 1980, meaning that wet and dry precipitation extremes have become more common (California Department of Water Resources, 2018). This uncertainty regarding future precipitation trends complicates the analysis of future water demand, especially where the relationship between climate change and its potential effect on water demand is not well understood. The average early spring snowpack in the western U.S., including the Sierra Nevada Mountains, decreased by about 10 percent during the last century. During the same period, sea level rose over 0.15 meter along the central and southern California coasts (State of California, 2018). The Sierra snowpack provides the majority of California's water supply as snow that accumulates during wet winters it is released slowly during the dry months of spring and summer. A warmer climate is predicted to reduce the fraction of precipitation that falls as snow and the amount of snowfall at lower elevations, thereby reducing the total snowpack (State of California, 2018). Projections



indicate that the average spring snowpack in the Sierra Nevada and other mountain catchments in central and northern California will decline by approximately 66 percent from its historic average by 2050 (State of California, 2018).

*Hydrology and Sea Level Rise.* Climate change could affect the intensity and frequency of storms and flooding (State of California, 2018). Furthermore, climate change could induce substantial sea level rise in the coming century. Rising sea level increases the likelihood of and risk from flooding. The rate of increase of global mean sea levels between 1993 to 2020, observed by satellites, is approximately 3.3 millimeters per year, double the 20<sup>th</sup> century trend of 1.6 millimeters per year (World Meteorological Organization [WMO], 2013; National Aeronautics and Space Administration, 2020). Global mean sea levels in 2013 were about 0.23 meter higher than those of 1880 (National Aeronautics and Space Administration, 2020). Sea levels are rising faster now than in the previous two millennia, and the rise will probably accelerate, even with robust GHG emission control measures. The most recent IPCC report predicts a mean sea level rise of 0.25 to 0.94 meter by 2100 (IPCC, 2018). A rise in sea levels could erode 31 to 67 percent of southern California beaches and cause flooding of approximately 370 miles of coastal highways during 100-year storm events. This would also jeopardize California's water supply due to salt water intrusion and induce groundwater flooding and/or exposure of buried infrastructure (State of California, 2018). Furthermore, increased storm intensity and frequency could affect the ability of flood-control facilities, including levees, to handle storm events.

*Agriculture.* California has an over \$50 billion annual agricultural industry that produces over a third of the country's vegetables and two-thirds of the country's fruits and nuts (California Department of Food and Agriculture, 2020). Higher CO<sub>2</sub> levels can stimulate plant production and increase plant water-use efficiency. However, if temperatures rise and drier conditions prevail, certain regions of agricultural production could experience water shortages of up to 16 percent, which would increase water demand as hotter conditions lead to the loss of soil moisture. In addition, crop-yield could be threatened by water-induced stress and extreme heat waves, and plants may be susceptible to new and changing pest and disease outbreaks (State of California, 2018). Temperature increases could change the time of year certain crops, such as wine grapes, bloom or ripen, and thereby affect their quality (California Climate Change Center [CCCC], 2006).

*Ecosystems and Wildlife.* Climate change and the potential resulting changes in weather patterns could have ecological effects on the global and local scales. Soil moisture is likely to decline in many regions as a result of higher temperatures, and intense rainstorms are likely to become more frequent. Rising temperatures could have four major impacts on plants and animals: timing of ecological events; geographic distribution and range of species; species composition and the incidence of nonnative species within communities; and ecosystem processes, such as carbon cycling and storage (Parmesan, August 2006; State of California, 2018).

**b. Regulatory Setting.** The following regulations address climate change and GHG emissions.

Federal Regulations. The United States Supreme Court in *Massachusetts et al. v. Environmental Protection Agency et al.* ([2007] 549 U.S. 05-1120) held that the U.S. EPA has the authority to regulate motor-vehicle GHG emissions under the federal Clean Air Act. The U.S. EPA issued a Final Rule for mandatory reporting of GHG emissions in October 2009. This Final Rule applies to fossil fuel suppliers, industrial gas suppliers, direct GHG emitters, and manufacturers of heavy-duty and off-road vehicles and vehicle engines and requires annual reporting of emissions. The first annual reports for these sources were due in March 2011. In 2012, the U.S. EPA issued the Final Rule that established the GHG permitting



thresholds that determine when Clean Air Act permits under the New Source Review Prevention of Significant Deterioration (PSD) and Title V Operating Permit programs are required for new and existing industrial facilities.

In *Utility Air Regulatory Group v. Environmental Protection Agency* (134 Supreme Court 2427 [2014]), the U.S. Supreme Court held the U.S. EPA may not treat GHGs as an air pollutant for purposes of determining whether a source can be considered a major source required to obtain a Prevention of Significant Deterioration or Title V permit. The Court also held that Prevention of Significant Deterioration permits otherwise required based on emissions of other pollutants may continue to require limitations on GHG emissions based on the application of Best Available Control Technology.

California Regulations. California Air Resources Board (CARB) is responsible for the coordination and oversight of State and local air pollution control programs in California. California has a numerous regulations aimed at reducing the state's GHG emissions. These initiatives are summarized below.

*Assembly Bill 1493.* Assembly Bill (AB) 1493 (2002), California's Advanced Clean Cars program (referred to as "Pavley"), requires CARB to develop and adopt regulations to achieve "the maximum feasible and cost-effective reduction of GHG emissions from motor vehicles." On June 30, 2009, U.S. EPA granted the waiver of Clean Air Act preemption to California for its GHG emission standards for motor vehicles beginning with the 2009 model year, which allows California to implement more stringent vehicle emission standards than those promulgated by the U.S. EPA. Pavley I regulates model years from 2009 to 2016 and Pavley II, now referred to as "LEV (Low Emission Vehicle) III GHG," regulates model years from 2017 to 2025. The Advanced Clean Cars program coordinates the goals of the LEV, Zero Emissions Vehicles (ZEV), and Clean Fuels Outlet programs and would provide major reductions in GHG emissions. By 2025, the rules will be fully implemented, and new automobiles will emit 34 percent fewer GHGs and 75 percent fewer smog-forming emissions from their model year 2016 levels (CARB, 2011).

*Assembly Bill 32 and Senate Bill 32.* The "California Global Warming Solutions Act of 2006" outlines California's major legislative initiative for reducing GHG emissions. AB 32 codifies the statewide goal of reducing GHG emissions to 1990 levels by 2020 and requires CARB to prepare a Scoping Plan that outlines the main State strategies for reducing GHG emissions to meet the 2020 deadline. In addition, AB 32 requires CARB to adopt regulations to require reporting and verification of statewide GHG emissions.

Based on this guidance, CARB approved a 1990 statewide GHG level and 2020 limit of 431 MMT CO<sub>2</sub>e, which was achieved in 2016. CARB approved the Scoping Plan on December 11, 2008, which included GHG emission reduction strategies related to energy efficiency, water use, and recycling and solid waste, among other measures (CARB, 2008). Many of the GHG reduction measures included in the Scoping Plan (e.g., Low Carbon Fuel Standard, Advanced Clean Car standards, and Cap-and-Trade) have been adopted since the Scoping Plan's approval.

CARB approved the 2013 Scoping Plan update in May 2014. The update defined the CARB's climate change priorities for the next five years, set the groundwork to reach post-2020 statewide goals, and highlighted California's progress toward meeting the "near-term" 2020 GHG emission reduction goals defined in the original Scoping Plan. It also evaluated how to align the State's longer-term GHG reduction strategies with other State policy priorities, including those for water, waste, natural resources, clean energy and transportation, and land use (CARB, 2013).



On September 8, 2016, the governor signed Senate Bill (SB) 32 into law, extending the California Global Warming Solutions Act of 2006 by requiring the state to further reduce GHG emissions to 40 percent below 1990 levels by 2030 (the other provisions of AB 32 remain unchanged). On December 14, 2017, the CARB adopted the 2017 Scoping Plan, which provides a framework for achieving the 2030 target. The 2017 Scoping Plan relies on the continuation and expansion of existing policies and regulations, such as the Cap-and-Trade Program, and implementation of recently adopted policies and legislation, such as SB 1383 and SB 100 (discussed later). The 2017 Scoping Plan also puts an increased emphasis on innovation, adoption of existing technology, and strategic investment to support its strategies. As with the 2013 Scoping Plan update, the 2017 Scoping Plan does not provide project-level thresholds for land use development. Instead, it recommends that local governments adopt policies and locally-appropriate quantitative thresholds consistent with statewide per capita goals of six MT of CO<sub>2</sub>e by 2030 and two MT of CO<sub>2</sub>e by 2050 (CARB, 2017). As stated in the 2017 Scoping Plan, these goals may be appropriate for plan-level analyses (city, county, sub-regional, or regional level), but not for specific individual projects because they include all emissions sectors in the state (CARB, 2017).

*Senate Bill 97.* SB 97, signed in August 2007, acknowledges that climate change is an environmental issue that requires analysis in California Environmental Quality Act (CEQA) documents. In March 2010, the California Natural Resources Agency adopted amendments to the State CEQA Guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions. The adopted guidelines give lead agencies the discretion to set quantitative or qualitative thresholds for the assessment and mitigation of GHG and climate change impacts.

*Senate Bill 375.* Senate Bill (SB) 375, signed in August 2008, enhances the state's ability to reach AB 32 goals by directing CARB to develop regional GHG emission reduction targets to be achieved from vehicles for 2020 and 2035. In addition, SB 375 directs each of the state's 18 major Metropolitan Planning Organizations (MPO) to prepare a "sustainable communities strategy" (SCS) that contains a growth strategy to meet these emission targets for inclusion in the Regional Transportation Plan (RTP). On March 22, 2018, CARB adopted updated regional targets for reducing GHG emissions from 2005 levels by 2020 and 2035. The Santa Barbara County Association of Governments (SBCAG) was assigned targets of a 13 percent reduction in GHGs from per capita GHG emissions from passenger vehicles by 2020 and a 17 percent reduction in per capita GHG emissions from passenger vehicles by 2035. The SBCAG 2040 Regional Transportation Plan and Sustainable Communities Strategy (August 15, 2013) demonstrated that the SBCAG region would achieve its regional emissions reduction targets for the 2020 and 2035 target years.

*Senate Bill 1383.* Adopted in September 2016, SB 1383 (Lara, Chapter 395, Statutes of 2016) requires the CARB to approve and begin implementing a comprehensive strategy to reduce emissions of short-lived climate pollutants. SB 1383 requires the strategy to achieve the following reduction targets by 2030:

- *Methane – 40 percent below 2013 levels*
- *Hydrofluorocarbons – 40 percent below 2013 levels*
- *Anthropogenic black carbon – 50 percent below 2013 levels*

SB 1383 also requires the California Department of Resources Recycling and Recovery (CalRecycle), in consultation with the CARB, to adopt regulations that achieve specified targets for reducing organic waste in landfills.



*Senate Bill 100.* Adopted on September 10, 2018, SB 100 supports the reduction of GHG emissions from the electricity sector by accelerating the state’s Renewables Portfolio Standard (RPS) Program, which was last updated by SB 350 in 2015. SB 100 requires electricity providers to increase procurement from eligible renewable energy resources to 33 percent of total retail sales by 2020, 60 percent by 2030, and 100 percent by 2045.

*Executive Order B-55-18.* On September 10, 2018, the former Governor Brown issued Executive Order (EO) B-55-18, which established a new statewide goal of achieving carbon neutrality by 2045 and maintaining net negative emissions thereafter. This goal is in addition to the existing statewide GHG reduction targets established by SB 375, SB 32, SB 1383, and SB 100

For more information on the Senate and Assembly Bills, Executive Orders, and reports discussed above, and to view reports and research referenced above, please refer to the following websites: [www.climatechange.ca.gov](http://www.climatechange.ca.gov) and [www.arb.ca.gov/cc/cc.htm](http://www.arb.ca.gov/cc/cc.htm).

Local Regulations. In July 2014, the City of Goleta adopted a Final Climate Action Plan (CAP) to assist the City with reducing GHG emissions consistent with AB 32. For the CAP, the City uses a target of 11 percent below 2007 emissions for emissions in 2020 and 26 percent below 2020 levels for 2030. The CAP identified emission reduction measures (measures) that would enable the City to meet the GHG reduction target for 2020. The CAP is a strategic document which outlines a framework to reduce community GHG emissions by 2020 and 2030 in a manner that meets the intent of the City of Goleta’s General Plan Implementation Action CE-IA-5 (Conservation Element) and is supportive of AB 32 and Executive Order S-3-05. The CAP does not, however, include quantitative significance thresholds for land use development projects. The CAP includes the following reduction categories of GHG sources and associated reduction measures:

- *The Building Energy measures aim to reduce GHG emissions by improving the energy efficiency of both new and existing residential and commercial buildings, planting new trees in the City through the Urban Forest Management Plan, and improving communitywide understanding of energy management;*
- *The Renewable Energy measures aim to increase the use of renewable energy to power both new and existing residential and commercial buildings, encourage solar-ready buildings, and pursue a community choice aggregation program;*
- *The On-Road Transportation and Land Use measures focus on reducing emissions by reducing vehicle miles traveled (VMT) through multimodal transportation options, and reducing emissions by supporting design guidelines that will result in more compact, walkable, and transit accessible neighborhoods;*
- *The Water Consumption measure aims to reduce water demand and conserve water, whereby saving energy and avoiding associated emissions under the water energy nexus;*
- *The Off-Road Transportation and Equipment measure aims to increase the use of alternative fuels in construction and landscaping off-road equipment and vehicles and reduce the consumption of fossil fuels;*
- *The Solid Waste measure focuses on reducing emissions by diverting waste from landfills, and supports continual improvement in equipment and operations for landfill management; and*
- *Municipal measures aim to reduce GHG emissions by improving City operations.*



In addition, all new residential and commercial buildings must comply with Goleta Municipal Code Chapter 15.13 entitled “Energy Efficiency Standards,” which require energy savings measures that exceed 2008 State of California Title 24 Energy Requirements by 15 percent, and with the 2019 California Green Building Code, as adopted by Goleta Municipal Code Chapter 15.12.

#### 4.6.2 Impact Analysis

**a. Methodology and Significance Thresholds.** This section describes how the potential for Project-generated GHG impacts were determined. Air quality model results and calculations are based on calculations completed by Rincon Consultants, and are included as Appendix B.

Significance Thresholds. Based on Appendix G of the *State CEQA Guidelines*, impacts related to GHG emissions from the Project would be significant if the Project would:

1. *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; and/or*
2. *Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.*

The vast majority of individual projects do not generate sufficient GHG emissions to directly influence climate change. However, physical changes caused by a project can contribute incrementally to significant cumulative effects, even if individual changes resulting from a project are limited. As a result, the issue of climate change typically involves an analysis of whether a project’s contribution towards an impact would be cumulatively considerable. “Cumulatively considerable” means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, other current projects, and probable future projects (State CEQA Guidelines, Section 15064[h][1]).

The significance of GHG emissions may be evaluated based on locally adopted quantitative thresholds, or consistency with a regional GHG reduction plan (such as a Climate Action Plan). Neither the SBCAPCD nor the City of Goleta has adopted quantitative GHG emissions thresholds for land use development projects; however, as discussed in Section 4.6.1(b), the City adopted a CAP in 2014 that identified measures that would enable the City to meet the GHG reduction target for 2020 consistent with AB 32. However, the CAP does not establish a pathway to achieving the State’s goal for 2030. Therefore, the CAP does not qualify as a GHG reduction plan for projects with horizon years beyond 2020. Because the Project would be operational post-2020, consistency with the CAP cannot be used as the basis of the CEQA analysis for the Project.

Instead, this analysis evaluates GHG emissions generated by the Project against a locally appropriate, project-specific efficiency threshold derived from the State’s 2030 target and the City’s GHG inventory from 2007, which is consistent with current best practices in the industry (AEP, 2016). This provides a quantitative assessment of the project’s GHG emissions compared to a project-specific threshold. The locally appropriate, project-specific efficiency threshold used in this analysis was created to comply with the CEQA Guidelines and interpretative GHG case law. An efficiency threshold is calculated by dividing the allowable GHG emissions inventory in a selected calendar year by the service population (residents plus employees) in that year. This calculation identifies the quantity of emissions that can be generated on a per-service population basis without significantly impacting the environment. This approach is



appropriate for the Project because it measures the Project's emissions on a local per capita basis to determine its overall GHG emissions efficiency relative to state and local GHG emission reduction goals.

The State's 2030 target is a legislatively adopted target with an adopted implementation plan (i.e., the 2017 Scoping Plan) that provides guidance on how the State's 2030 target translate into a local target for land use planning. In contrast, the State's 2045 carbon neutrality goal (EO B-55-18) is not an adopted targets or threshold of significance consistent with CEQA Guidelines Sections 15064.4(b)(2) and 15064.7. Additionally, it should be noted that the City has established a GHG reduction target of 26 percent below 2020 levels by 2030; however, because the State target is more stringent, the State target is used in this analysis to provide a conservative estimate of project impacts.

**Year 2030 Threshold of Significance.** For the Project, a 2030 efficiency threshold was calculated based on the target GHG emission levels that would be consistent with the State's 2030 target using the residential population of Goleta in year 2030.<sup>1</sup> This locally appropriate, project-specific quantitative threshold is derived, in part, from the City's 2007 GHG inventory in line with CARB's recommendations in the 2008 Climate Change Scoping Plan and the 2017 Scoping Plan (CARB, 2008; CARB, 2017). Consistent with the legal guidance provided in the Golden Door (2018) and Newhall Ranch (2015) decisions regarding the correlation between state and local conditions, the City's 2007 GHG inventory were used to calculate a locally-appropriate, evidence-based, project-specific threshold consistent with the State's 2030 target. Accordingly, the threshold established in this EIR is a locally-applicable, project-specific threshold, as opposed to a threshold for general use.

The City completed a 2007 GHG inventory that calculated communitywide emissions of 325,532 MT of CO<sub>2</sub>e per year (see Table 4.6-1). Because the Project would result in new housing, the Building Energy, On-Road Transportation and Land Use, Off-Road Transportation and Equipment, Refrigerants, Solid Waste Generation, Water Consumption, and Wastewater Treatment sectors are appropriate to use in developing a project-specific threshold because future residents of the City would consume building energy, generate on-road vehicle trips, generate solid waste, consume water, generate wastewater, and use off-road equipment (e.g., landscaping equipment). Therefore, Agriculture sector emissions were conservatively excluded for the emissions total for project-applicable sectors. Because these sector emissions would not be applicable to the Project, these emissions were subtracted from the total emissions to calculate a project-applicable emissions total of 280,474 MT of CO<sub>2</sub>e for 2007.

---

<sup>1</sup> The residential population was used to calculate the threshold because the Project would only result in construction of new residential units and not commercial uses.



**Table 4.6-1  
 City of Goleta Baseline Inventory – 2007**

<b>Source</b>	<b>2007 Total (MT of CO<sub>2</sub>e)</b>
Building Energy	142,855
On-Road Transportation and Land Use	131,720
Off-Road Transportation and Equipment	24,789
Refrigerants	20,204
Solid Waste Generation	3,514
Water Consumption	1,413
Wastewater Treatment	972
Agriculture	64
<b>Total Emissions</b>	<b>325,532</b>
<b><i>Emissions from Project-Applicable Sectors<sup>1</sup></i></b>	<b><i>325,467</i></b>

MT = metric tons; CO<sub>2</sub>e = carbon dioxide equivalents

<sup>1</sup> Includes Building Energy, On-Road Transportation and Land Use, Off-Road Transportation and Equipment, Refrigerants, Solid Waste Generation, Water Consumption, and Wastewater Treatment sources.

Source: City of Goleta, 2014

AB 32 set a statewide target of reducing GHG emissions to 1990 levels by 2020. Therefore, for the City of Goleta to be consistent with AB 32, annual GHG emissions levels from project-applicable sectors would need to be reduced by 15 percent below 2005 levels by 2020 to approximately 276,647 MT of CO<sub>2</sub>e per year (CARB, 2008). In addition, the State set a statewide GHG emission reduction target of 40 percent below 1990 levels. Therefore, annual GHG emissions levels from project-applicable sectors would need to be reduced by 40 percent below 1990 levels to approximately 165,998 MT of CO<sub>2</sub>e per year to be consistent with the State’s 2030 target. Accordingly, the 2030 project-specific residential efficiency threshold can be calculated by dividing total communitywide GHG emissions by the communitywide service population (residents + employees) for year 2030. The City’s 2030 residential population would be approximately 33,100 persons and the City’s 2030 jobs forecast is 27,970 (SBCAG, 2019). Therefore, the 2030 locally-appropriate, project-specific threshold would be approximately 2.7 MT of CO<sub>2</sub>e per resident per year (see Table 4.6-2).





**Table 4.6-2  
 Locally Applicable Project-Specific 2030 Efficiency Threshold**

Target Year	Value
2007 Baseline Levels <sup>1</sup>	325,467 MT of CO <sub>2</sub> e/year
2020 Target (AB 32) <sup>2</sup>	276,647 MT of CO <sub>2</sub> e/year
2030 Target (SB 32) <sup>3</sup>	165,988 MT of CO <sub>2</sub> e/year
2030 Service Population <sup>4</sup>	61,070 persons
<b>2030 Project-Specific Efficiency Threshold</b>	<b>2.7 MT of CO<sub>2</sub>e per resident per year</b>

MT = metric tons; CO<sub>2</sub>e = carbon dioxide equivalents

<sup>1</sup> 2007 emission levels from project-applicable sectors (see Table 4.6-1)

<sup>2</sup> AB 32 sets a target of reducing GHG emissions to 1990 levels (i.e., 15 percent below 2005 levels) by 2020.

<sup>3</sup> SB 32 sets a target of reducing GHG emissions 40 percent below 1990 levels by 2030.

<sup>4</sup> Source: SBCAG, 2019; the service population (residents + employees) was used here because the 2007 baseline level included GHG emissions from both commercial and residential sectors.

The population for the market-rate housing would be 620 persons based on the Department of Finance per-household figure of 2.72 persons per dwelling unit. The population for the family affordable housing would be 163 persons based on the Housing Authority of the County of Santa Barbara data per-household figure of 2.58 persons per dwelling unit. The population for the senior affordable housing would be 56 persons, based on the *Heritage Ridge Occupant/Unit Ratio Analysis Study* conducted by The Towbes Group, Inc. which determined 1.36 persons per senior dwelling unit (The Towbes Group, Inc., 2014). The proposed residential development would not create substantial new employment, and potential employees associated with the rental office were not included in this analysis to provide a conservative population estimate. The total new residents associated with the Project would therefore be 839 persons. Therefore, the project’s service population is 839 persons.

Study Methodology. Calculations of CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O emissions are provided to identify the magnitude of potential project effects. The analysis focuses on CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O because these make up 98.9 percent of all GHG emissions by volume (IPCC, 2007) and are the GHG emissions that the Project would emit in the largest quantities. Fluorinated gases, such as HFCs, PFCs, and SF<sub>6</sub>, were also considered for the analysis. However, because the Project is a residential development, the quantity of fluorinated gases would not be significant since fluorinated gases are primarily associated with industrial processes. Emissions of all GHGs are converted into their equivalent weight in CO<sub>2</sub> (CO<sub>2</sub>e). Minimal amounts of other main GHGs (such as chlorofluorocarbons [CFCs]) would be emitted, but these other GHG emissions would not substantially add to the calculated CO<sub>2</sub>e amounts. Calculations are based on the methodologies discussed in the California Air Pollution Control Officers Association (CAPCOA) *CEQA and Climate Change* white paper (January 2008).

On-Site Operational Emissions. Operational emissions from energy use (electricity and natural gas use) for the Project site were estimated using the California Emissions Estimator Model (CalEEMod) computer program, version 2016.3.2 (see Appendix B for calculations). In accordance with Section 150.1(b)14 of the 2019 Building Energy Efficiency Standards, all new residential uses under with three habitable stories or less must install photovoltaic (PV) solar panels that generate an amount of electricity equal to expected electricity usage. Therefore, it was assumed that 100 percent of electricity usage for the proposed low-rise residential uses would be supplied by PV solar panels (see Appendix B). The default values included in the CalEEMod computer program are based on the California Energy Commission (CEC)



sponsored California Commercial End Use Survey (CEUS) and Residential Appliance Saturation Survey (RASS) studies. CalEEMod provides operational emissions of CO<sub>2</sub>, N<sub>2</sub>O, and CH<sub>4</sub>. This methodology is considered reasonable and reliable for use, as it has been subjected to peer review by numerous public and private stakeholders, and in particular by the CEC. It is also recommended by CAPCOA (January 2008).

Emissions associated with area sources, including consumer products, landscape maintenance, and architectural coating were calculated in CalEEMod based on standard emission rates from CARB, U.S. EPA, and district supplied emission factor values (CAPCOA, 2017).

Emissions from waste generation were also calculated in CalEEMod and are based on the IPCC's methods for quantifying GHG emissions from solid waste using the degradable organic content of waste (CAPCOA, 2017). Waste disposal rates by land use and overall composition of municipal solid waste in California was primarily based on data provided by the California Department of Resources Recycling and Recovery (CalRecycle).

Emissions from water and wastewater usage calculated in CalEEMod were based on the default electricity intensity from the CEC's 2006 Refining Estimates of Water-Related Energy Use in California using the average values for Northern and Southern California. However, CalEEMod does not incorporate water use reductions achieved by CALGreen (Part 11 of Title 24). New development would be subject to CALGreen, which requires a 20 percent increase in indoor water use efficiency. Thus, in order to account for compliance with CALGreen, a 20 percent reduction in indoor water use was included in the water consumption calculations for new development.

Direct Emissions from Mobile Combustion. Emissions of CO<sub>2</sub> and CH<sub>4</sub> from transportation sources were quantified using CalEEMod (Appendix B). Because CalEEMod does not calculate N<sub>2</sub>O emissions from mobile sources, N<sub>2</sub>O emissions were quantified by Rincon Consultants outside of CalEEMod, using guidance from CARB and the EMFAC2021 Emissions Inventory for the SBAPCD region for the year 2030 (the next State milestone target year for GHG emission reductions) using the EMFAC2011 categories (CARB, 2018; CARB, 2021; see Appendix B for calculations). The estimate of total daily trips and trip distances associated with the Project area was based the *Updated Traffic and Circulation Study* dated March 2021 and *VMT Calculations* dated April 2021 prepared for the Project by Associated Transportation Engineers (ATE, 2021). The traffic analysis developed trip generation estimates using rates contained in the tenth edition of the Institute of Transportation Engineers (ITE) Trip Generation report. For the senior and family affordable housing, the trip generation rates was based on the rates provided by Associated Transportation Engineers (ATE) specific to the project, which is a combined 6.34 trips per unit per weekday for all units. For the neighborhood park, San Diego Association of Governments rates for City Public Park were used, which is 50 trips per acre per weekday. Trip lengths and trip types (primary, diverted, and pass-by) were adjusted to match the total VMT calculated for the project by ATE. The total annual VMT generated by the project would be 4,675,285 miles, which does not account for the project location's proximity to transit, the project's proposed housing unit density, the provision of 31 percent affordable units, the project's pedestrian network improvements, and the project's limited parking supply.

Construction Emissions. Although construction activity is addressed in this analysis, CAPCOA does not discuss whether any of the suggested threshold approaches (as discussed below in *GHG Cumulative Significance*) adequately address impacts from temporary construction activity. As stated in the *CEQA and Climate Change* white paper, "more study is needed to make this assessment or to develop separate thresholds for construction activity" (CAPCOA, 2008). Nevertheless, air districts such as the SCAQMD (2008) have recommended amortizing construction-related emissions over a 30-year period in conjunction with



the Project's operational emissions. This analysis uses the amortization recommendation from SLOAPCD, which recommends amortization over a 50-year period for residential projects.

Construction of the Project would generate temporary GHG emissions primarily associated with the use of off-road construction equipment, on-road hauling and vendor (material delivery) trucks, and worker vehicles. Site preparation and grading typically generate the greatest amount of emissions due to the use of grading equipment and soil hauling. Emissions associated with the construction period were estimated using CalEEMod, based on the projected maximum amount of equipment that would be used on-site at one time. Complete results from CalEEMod and assumptions can be viewed in Appendix B. The construction schedule and construction equipment were input per information provided by the applicant.

For the purpose of this analysis, construction activity was assumed to occur in two phases; the first phase ~~would~~ included pre-construction export of excess soil over approximately 24 to 27 weeks, and the second phase ~~would~~ included construction of the Project, which would occur over a period of approximately 36 months, overlapping with the export phase. Soil is currently stockpiled in two locations on the site and ~~is~~was estimated to total 115,000 cubic yards (CY), as was proposed for the Project evaluated in the original and revised Draft EIRs. The excess soil would be transported off-site prior to construction by haul trucks ranging in capacity from 9 to 20 CY. These two distinct scenarios were modeled in CalEEMod by Rincon. All other values utilized in the modeling were based on applicable CalEEMod defaults for the SBCAPCD region. After public circulation of the Revised Draft EIR in May 2021, the soil export amount was updated to 92,000 cubic yards, would result in fewer haul truck trips and a shorter hauling period than what was modeled for both scenarios. Therefore, the estimates of emissions from construction activity that are included in this section are greater than, and thus, more conservative than the actual pre-construction emissions for the Project.

#### **b. Project Impacts and Mitigation Measures.**

**Impact GHG-1 The Project would generate temporary as well as operational GHG emissions, which would incrementally contribute to climate change. However, combined annual GHG emissions from the Project would not exceed applicable thresholds of significance. Impacts would be Class III, less than significant [Threshold 1].**

Construction Emissions. For the purpose of this analysis, construction activity is assumed to occur over a period of approximately 36 months. The construction analysis also includes a discussion of pre-construction soil export activity, which would occur prior to the main construction phase, to remove excess stockpiled soil and prepare the site for construction of the Project. Pre-construction export is outlined in two separate Scenarios (Scenario 1 and 2) as described in Section 4.2, *Air Quality*. Modeled Scenario 1 assumes that the existing stockpiled material would be removed using 9-CY trucks, which would require a total of 25,556 one-way haul truck trips; Modeled Scenario 2 assumes that 20-CY trucks would be used to haul the material, resulting in approximately 11,500 one-way haul truck trips.

As shown in Table 4.6-3, construction activity for the Project would generate an estimated 3,197 MT CO<sub>2</sub>e under Scenario 1 or 2,648 MT CO<sub>2</sub>e under Scenario 2. Following the SLOAPCD's recommended methodology to amortize emissions over a 50-year period (the assumed life of the Project), construction of the Project would generate an estimated 64 MT of CO<sub>2</sub>e per year under Scenario 1 or 88 MT of CO<sub>2</sub>e per year under Scenario 2. The updated soil export amount of 92,000 cubic yards would result in fewer



haul truck trips than what was modeled for both scenarios. Therefore, the estimates of construction emissions in Table 4.6-3 are greater than, and thus, more conservative than the actual construction emissions for the Project.

**Table 4.6-3  
 Estimated Construction Emissions of Greenhouse Gases**

Year	MT CO <sub>2</sub>	MT CH <sub>4</sub>	MT N <sub>2</sub> O	MT of CO <sub>2</sub> e
<b><i>Project Construction Emissions</i></b>				
2021	180	<1	<1	182
2022	904	<1	<1	909
2023	958	<1	<1	961
2024	671	<1	<1	673
<b>Subtotal</b>	<b>2,713</b>	<b>&lt;1</b>	<b>&lt;1</b>	<b>2,725</b>
<b><i>Pre-construction Export Emissions</i></b>				
Scenario 1	1,063	<1	<1	1,066
Scenario 2	514	<1	<1	516
<b>Scenario 1 Combined Total</b>	<b>3,776</b>	<b>&lt;1</b>	<b>&lt;1</b>	<b>3,791</b>
Amortized over 50 Years	76	<1	<1	76
<b>Scenario 2 Combined Total</b>	<b>3,227</b>	<b>&lt;1</b>	<b>&lt;1</b>	<b>3,241</b>
Amortized over 50 Years	65	<1	<1	65

*See Appendix B for CalEEMod Results.*

Operational Emissions. Long-term emissions relate to area sources, energy use, solid waste, water use, and transportation. Each of these sources are discussed below, and associated GHG emissions were estimated using CalEEMod. Project sustainable design features described in Appendix B based on applicant-provided information, would reduce GHG emissions associated with operational emissions. The sustainable design features associated with this project that have quantifiable reductions include:

- *Increased density of dwelling units to 19.1 units per acre;*
- *Increased transit accessibility, with the nearest station located 0.4 mile from the site;*
- *Integration of below market rate (affordable) housing, of 31 percent of proposed dwelling units;*
- *Improved pedestrian network by connecting the Project and surrounding neighborhoods with pedestrian facilities contiguous with the Project site; and*



- *Limited parking supply with a 2.2 percent reduction in total required spaces per the City zoning code.*<sup>2</sup>

*Area Source Emissions.* Direct sources of air emissions located at the Project site include consumer product use and landscape maintenance equipment. Area source emissions would be approximately 4 MT of CO<sub>2</sub>e per year.

*Energy Use.* Operation of on-site development would consume both electricity and natural gas. The generation of electricity through combustion of fossil fuels typically yields CO<sub>2</sub>, and to a smaller extent, N<sub>2</sub>O and CH<sub>4</sub>. Electricity consumption associated with the Project would generate approximately 0 MT of CO<sub>2</sub>e per year due to the 100 percent solar requirement, and natural gas use would generate approximately 213 MT of CO<sub>2</sub>e per year (see Appendix B for full results and calculations). Thus, overall energy use at the Project site would generate approximately 213 MT of CO<sub>2</sub>e per year.

*Solid Waste Emissions.* In accordance with AB 939, the CalEEMod emissions estimate assumes by default that the Project would achieve at least a 50 percent diversion rate of recyclable materials. Based on this estimate, solid waste associated with the Project would generate approximately 71 MT of CO<sub>2</sub>e per year.

*Water Use Emissions.* Based on the amount of electricity used to supply and convey water for the Project, the Project would generate approximately 35 MT of CO<sub>2</sub>e per year.

*Transportation Emissions.* Mobile source GHG emissions were estimated using the average daily trips for the Project according to the Project traffic and circulation study and VMT calculations (see Appendix I). The Project would generate approximately 4,675,285 annual VMT. As noted above, CalEEMod does not calculate N<sub>2</sub>O emissions related to mobile sources. Rincon estimated N<sub>2</sub>O emissions and included these in the overall emissions total, based on the Project's VMT using calculation methods provided by CARB (CARB, 2018). The Project would generate a total of approximately 1,262 MT CO<sub>2</sub>e, associated with mobile emissions.

*Combined Construction, Operation, and Mobile Source Emissions.* Table 4.6-4 shows the combined construction and operational GHG emissions associated with development of the Project. As shown in Table 4.6-4, the maximum estimated annual operational indirect and direct emissions, would be approximately 1,661 MT CO<sub>2</sub>e per year. As described in Section 4.6.2(a), the service population for the Project is 839 persons. This equates to approximately 2.0 MT CO<sub>2</sub>e/resident/year. GHG emissions associated with the Project would not exceed the 2.7 MT CO<sub>2</sub>e/resident/year threshold of significance. Therefore, this impact would be less than significant.

**Mitigation Measures.** Mitigation is not required as emissions would not exceed significance thresholds.

**Residual Impacts.** Impacts would be less than significant without mitigation.

---

<sup>2</sup> After public circulation of the Revised Draft EIR, the parking supply was changed to include an approximately 6.6-percent reduction in parking supply below the City's zoning code requirements. Therefore, the emissions modeling for the Revised Draft EIR slightly overestimates mobile source GHG emissions by assuming that more parking would be provided than the project proposes.



**Table 4.6-4  
 Combined Annual Emissions of Greenhouse Gases (2024)**

Emission Source	Annual Emissions (MT of CO <sub>2</sub> e)	
	Scenario 1	Scenario 2
Project Construction	76	65
Project Operational		
Area	4	
Energy	213	
Solid Waste	71	
Water	35	
Project Mobile		
CO <sub>2</sub> and CH <sub>4</sub>	1,240	
N <sub>2</sub> O <sup>1</sup>	22	
<i>Total Emissions from Project</i>	<i>1,661 metric tons CO<sub>2</sub>e</i>	<i>1,650 metric tons CO<sub>2</sub>e</i>
Project Service Population	839	839
<b>Per Service Population Emissions</b>	<b>2.0 metric tons CO<sub>2</sub>e/SP<sup>2</sup></b>	<b>2.0 metric tons CO<sub>2</sub>e/SP<sup>2</sup></b>
Project-Specific Service Population Threshold	2.7 metric tons CO <sub>2</sub> e/SP	2.7 metric tons CO <sub>2</sub> e/SP
<b>Threshold Exceeded?</b>	<b>No</b>	<b>No</b>

Sources: See Appendix B for calculations and for GHG emission factor assumptions.

1. Operational N<sub>2</sub>O emissions were calculated outside of CalEEMod. Calculation sheets for N<sub>2</sub>O mobile emissions are included in Appendix B.

2. The Project would have approximately 839 residents.

**Impact GHG-2 The Project is consistent with the City of Goleta Climate Action Plan.  
 Impacts would be Class III, less than significant [Threshold 2].**

As discussed under in Section 4.6.2(a), *Methodology and Significance Thresholds*, in July 2014, the City of Goleta adopted a CAP. The CAP outlines a programmatic approach to review the potential from GHG-related impacts associated with new development. Table 4.6-5 describes the Project’s consistency with applicable CAP measures.



**Table 4.6-5  
 Project Consistency with Applicable Climate Action Plan Measures**

<i>Strategy</i>	<i>Project Consistency</i>
<b>Building Energy Efficiency</b>	
<b>BEE-1</b> Continue implementation of the Residential and Commercial Building Code that Exceeds Title 24 Standards by 15 percent effective through Code Expiration (July 2014).	<b>Consistent</b> The Project would comply with and exceed the Chapter 15.13 Energy Efficiency Standards of the Goleta Municipal Code by also complying with the 2019 Energy Code, which would result in residences that use 53 percent less energy than those built to 2016 Energy Code standards (CEC, 2020). The 2019 Energy Code is substantially better than the 2008 Energy Code standards referenced by the Municipal Code.
<b>BEE-5</b> Support Planting of New Trees in the City through Urban Forest Management Plan.	<b>Consistent</b> The Project includes an approximately 2-acre public park, native landscaping, and new trees on the project site. The total landscaped area for the Project is approximately 1.6 acres in addition to the approximately 2-acre public park.
<b>Renewable Energy</b>	
<b>RE-1</b> Continue Implementation of Ordinance Requiring Construction of Solar-Ready Buildings.	<b>Consistent</b> Per the 2019 Energy Code, the Project is required to install solar panels providing 100 percent of the electricity for the proposed residential uses.
<b>RE-4</b> Encourage Solar Installation in New Residential.	<b>Consistent</b> Buildings 5 through 10 are oriented primarily on an east–west axis to take advantage of solar orientation. Additionally, per the 2019 Energy Code, the Project is required to install solar panels providing 100 percent of the electricity for the proposed residential uses.
<b>On-Road Transportation and Land Use</b>	
<b>T-7</b> Implement General Plan Policy TE 11: Bikeways Plan.	<b>Consistent</b> The Project would implement General Plan Policy TE 11 by encouraging increased bicycle use through the installation of trails connecting the site to surrounding neighborhoods. In addition, bicycle parking would be provided on-site to encourage bicycle use. The project would provide connections to existing Class II bicycle facilities on Camino Vista and Calle Koral (City of Goleta, 2018).
<b>T-8</b> Encourage Bicycle Parking through Development of Design Guidelines and Policies.	<b>Consistent</b> Bicycle parking would be provided on-site to encourage bicycle use and active transportation.
<b>Water Consumption</b>	
<b>WR-1</b> Continue Compliance with SB X7-7: Reduce Per Capita Urban Water Use	<b>Consistent</b> The Project would include incorporation of low-flow fixtures, water-wise and California native landscaping, minimal recreational turf, and rainwater capture systems to assist the City with compliance with SB X7-7.

As indicated in Tables 4.6-5, the Project would be consistent with applicable CAP Strategies.

*Consistency with SBCAG’s 2040 RTP/SCS.* SBCAG’s 2040 RTP-SCS provides land use and transportation strategies to reduce regional GHG emissions. The project’s consistency with applicable goals and objectives from the 2040 RTP-SCS is discussed in Table 4.6-6.



**Table 4.6-6  
 Project Consistency with Applicable SBCAG 2040 RTP-SCS Goals and Objectives**

<i>Goals and Objectives</i>	<i>Project Consistency</i>
<b>Environment</b>	
<p><b>Goal:</b> Foster patterns of growth, development and transportation that protect natural resources and lead to a healthy environment.</p> <p><b>Objective 1:</b> Reduce GHG emissions in compliance with CARB regional targets.</p> <p><b>Objective 4:</b> Promote transit use and alternative transportation.</p> <p><b>Objective 5:</b> Reduce vehicle miles traveled.</p> <p><b>Objective 6:</b> Preserve open space and agricultural land.</p>	<p><b>Consistent.</b> GHG emission forecasts contained in the SBCAG 2040 RTP-SCS are based on the 2010-2040 Regional Growth Forecast, which accounts for local General Plan land uses (SBCAG, 2012). SBCAG’s 2010-2040 growth forecast projects Goleta’s population to be approximately 30,000 in 2020, 33,900 in 2035, and 34,600 in 2040 (SBCAG, 2012). Based on 2020 population data from the California Department of Finance, Goleta’s current population of 32,223 already exceeds the SBCAG 2020 population projection of 30,000 by 2,223 people. The Project would contribute to the existing exceedance of population projections. However, because the project would meet the project-specific efficiency thresholds, as described under Impact GHG-1, the project would not inhibit SBCAG from reaching its regional GHG emission targets, consistent with Objective 1.</p> <p>The project would include connections to existing adjacent pedestrian and bicycle networks identified in the City’s Bicycle and Pedestrian Master Plan. Additionally, the project site is in close proximity to existing transit stops consistent with Objective 4.</p> <p>The 2040 RTP-SCS preferred scenario for VMT reduction is based on land uses allowable under adopted General Plans with intensification of select locations in core urban areas. The project site is not identified as a location for proposed land use intensification (SBCAG, 2017). Therefore, the project would not conflict with the VMT reductions anticipated by the SBCAG 2040 RTP-SCS under the preferred scenario and would be consistent with Objective 5.</p> <p>The project would maintain approximately <del>40</del> <u>44.3</u> percent of the project site as open space, in addition to an on-site approximately 2-acre park, consistent with Objective 6.</p>
<b>Mobility &amp; System Reliability</b>	
<p><b>Goal:</b> Optimize the transportation system to improve accessibility to jobs, schools, and services, allow the unimpeded movement of people and goods, and ensure the reliability of travel by all modes.</p> <p><b>Objective 3:</b> Increase bike, walk, and transit mode share.</p>	<p><b>Consistent.</b> The project would include connections to existing adjacent pedestrian and bicycle networks identified in the City’s Bicycle and Pedestrian Master Plan. Additionally, the project site is in close proximity to existing transit stops.</p>
<b>Equity</b>	
<p><b>Goal:</b> Assure that the transportation and housing needs of all socio-economic groups are adequately served.</p> <p><b>Objective 1:</b> Comply with HCD/Regional Housing Needs Assessment.</p> <p><b>Objective 2:</b> Provide adequate affordable and workforce housing near jobs.</p>	<p><b>Consistent.</b> The project would assist the County in meeting its housing requirements by developing housing and would be consistent with the provisions of the Santa Barbara Inclusionary Housing Element because the project would develop 31 percent affordable housing on site.</p>





As summarized in Table 4.6-6, the project would be consistent with the applicable goals and objectives from the SBCAG 2040 RTP-SCS. Therefore, the project would not conflict with or obstruct implementation of the SBCAG 2040 RTP-SCS.

*Consistency with 2017 Scoping Plan.* The principal state plans and policies are AB 32, the California Global Warming Solutions Act of 2006, and the subsequent legislation, SB 32. The quantitative goal of AB 32 is to reduce GHG emissions to 1990 levels by 2020 and the goal of SB 32 is to reduce GHG emissions to 40 percent below 1990 levels by 2030. Pursuant to the SB 32 goal, the 2017 Scoping Plan was created to outline goals and measures for the state to achieve the reductions. The 2017 Scoping Plan's strategies that are applicable to the proposed project include reducing fossil fuel use, energy demand, and VMT; maximizing recycling and diversion from landfills; and increasing water conservation. The project would be consistent with these goals through project design, which includes complying with the 2019 Building Energy Efficiency Standards, requiring the installation of solar panels on all new residential buildings, and water-use reductions required by CALGreen (Part 11 of Title 24). The project would be served by Southern California Edison, which is required to increase its renewable energy procurement in accordance with SB 100 targets. The project would be located in an area well-served by transit and within walking and biking distance of several commercial and recreational destinations, which would reduce future residents' VMT and associated fossil fuel usage. Therefore, the project would be consistent with the 2017 Scoping Plan.

*Conclusion.* The Project would not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs and would therefore be consistent with the objectives of AB 32, SB 32, SB 375, and the City's CAP. This impact would be less than significant.

**Mitigation Measures.** Mitigation is not required since the Project impact related to GHGs is less than significant.

**Residual Impacts.** Impacts would be less than significant without mitigation.

**Cumulative Impacts.** Analysis of GHG-related impacts is cumulative in nature as climate change is related to the accumulation of GHGs in the global atmosphere. As shown in Tables 3-1 and 3-2 in Section 3.0, *Related Projects*, 741 residential units and more than 782,000 square feet of non-residential development are approved or pending in and around Goleta. Such development would increase overall GHG emissions generated within Goleta. Similar to the Project, planned and pending projects in the City would be required to comply with applicable strategies contained in the Goleta CAP. As indicated in Impact GHG-1, GHG emissions associated with the Project were found to be less than significant. Although cumulative increases in atmospheric GHGs may be significant, the Project's contribution to cumulative levels of GHGs is not cumulatively considerable because emissions associated with the Project would not exceed the quantitative locally-applicable, project-specific threshold and the Project is consistent with all applicable plans and policies pertaining to GHG reduction.



## 4.7 HAZARDOUS MATERIALS/RISK OF UPSET

This section addresses a number of issues, including: the potential presence of and risk of exposure to hazardous materials at the project site and potential risk of upset associated with the Project's location adjacent to the Union Pacific Railroad (UPRR) right-of-way (ROW), U.S. 101, nearby businesses using hazardous materials and a high pressure natural gas line. The information presented in this section pertaining to hazardous materials at the site is based in part on a Phase I Environmental Site Assessment (ESA) prepared by Property Solutions, Inc. (September 2014). This report is provided in Appendix F. The findings of a health risk assessment that evaluates potential long-term impacts related to exposure of site residents to emissions from the adjacent UPRR and U.S. 101 are addressed in Section 4.2, *Air Quality*.

The risk of upset associated with various potential sources of upset hazards, including nearby businesses, U.S. 101, the UPRR, and a high pressure natural gas line have been consolidated into a single impact (Impact HAZ-2) to better reflect the overall level of risk to which the Project would be subject.

### 4.7.1 Setting

**a. Overview.** The Goleta General Plan/Coastal and Land Use Plan Final EIR, 2006, analyzed potential safety hazards caused by the presence, use, manufacture or transport of hazardous materials within the City. The risk of upset focused on humans and assessed potential impacts from accidents, explosions and other releases. The General Plan/Coastal and Land Use Plan Final EIR identified a Class I impact for transportation of hazardous materials on the UPRR rail line and U.S. 101. At certification of the FEIR, the former City Council made a statement of overriding considerations.

The project site is an 17.36-gross acre property that is bounded on its north by the Union Pacific Railroad (adjacent to the project site) and U.S. 101 (approximately 250 to 300 feet north of the project site), on the west by S. Los Carneros Road with an approved residential development currently under construction (Village at Los Carneros) beyond, on the south by Camino Vista Road and the Willow Springs residential development, and on the east by Aero Camino Road and industrial uses.

Historically, the project site and vicinity were in agricultural production. In 1986, a mass grading plan for the entire site was submitted, approved, and initiated (Mac Design Associates, 1997). Initial grading on-site consisted of clearing and grubbing of orchard trees and root structures. Surface material was scraped and placed in windrows. Investigations of prehistoric cultural resources were undertaken and grading resumed outside of fenced sensitive archaeological areas (Mac Design Associates, 1997). The project site was used as a staging area for fill during the Los Carneros Road/U.S. 101 interchange construction from approximately 1998 to 2014 (Mac Design Associates, 1997). Currently, the project site consists of 13 undeveloped lots located between developed commercial and industrial uses to the east and undeveloped land to the west (site of the Villages at Los Carneros). There is no structural development on site; however, construction equipment and containers are stored on site.

The following describes the potential for presence of hazardous materials (at the project site) and the potential risks associated with UPRR, U.S. 101, nearby businesses using hazardous materials, and a natural gas line (off-site).

Hazardous Materials and Substances. The term "hazardous material" refers to both hazardous substances and hazardous waste. A material is identified as "hazardous" if it appears on a list of



hazardous materials prepared by a Federal, State, or local regulatory agency or if it has characteristics defined as hazardous by such an agency. A “hazardous waste” is a “solid waste” that exhibits toxic or hazardous characteristics. The United States Environmental Protection Agency (U.S. EPA) defines the term “solid waste” to include many types of discarded materials including any gaseous, liquid, semi-liquid, or solid material, which is discarded or has served its intended purpose, unless the material is specifically excluded from regulation. Such materials are considered waste whether they are discarded, reused, recycled, or reclaimed. U.S. EPA classifies a material as hazardous if it has one or more of the following characteristics at specific thresholds: ignitability, corrosivity, reactivity, and/or toxicity.

As part of the Phase I ESA (Property Solutions Inc., 2014; refer to Appendix F), a site reconnaissance was conducted in order to observe existing site conditions and to obtain information indicating the possible presence of recognized environmental conditions (REC) in connection with the project site. During the site reconnaissance, Property Solutions Inc. did not observe any of the following on-site: aboveground storage tanks (ASTs) or evidence of underground storage tanks (USTs); transformers, capacitors or large switch gear equipment; evidence of fuel release; evidence of hazardous waste generation, storage, or disposal; wells, sumps, pits, or floor drains; surface water bodies (e.g. springs or swamps); lagoons, ponds, septic systems, or separators; stressed vegetation, staining, or odors; superficial disturbances; dry cleaning operations; buildings; wetland areas; or major air emission sources. On the central portion of the Project site, the Phase I ESA noted that it was occupied by several temporary trailers and stored equipment associated with the recent construction of the apartment complex to the south-southeast. Chemicals stored on the Project site are minimal quantities of domestic cleaning chemicals and paints. No hazardous materials were observed within the temporary construction site at the northwest property corner, and approximately 30 five-gallon paint containers and two 5-gallon containers of caulk were observed stored near the trailers at the center of the site. A portable diesel-fired emergency generator was also present. Although some minor paint spillage was observed, no evidence of a fuel release was observed.

In addition to the site reconnaissance, Property Solutions Inc. contracted with Environmental Data Resources, Inc. (EDR) to search public databases of sites that generate, store, treat, or dispose of hazardous materials or sites for which a release or incident has occurred. The EDR search was conducted for the Project site and included data from surrounding sites within a one mile radius of the property. Table 4.7-1 displays the database information, which is divided into two columns. The first column lists sites identified within one mile of the Project site. These sites are described further in the text below. Table 4.7-1 also includes observations on the Project site, as described in the above paragraph. These observations are identified as *Project site* in the *Search Distance* column.

Although the exact locations of the orphan sites are frequently unknown, the Phase I ESA attempts to evaluate the potential adverse environmental impact that these sites may have on the Project site. The orphan sites included in the following table are those the Phase I ESA identified as potentially located within the identified search distance.



**Table 4.7-1  
 Environmental Database Summary**

<b>Database</b>	<b>Search Distance</b>	<b>Plottable<sup>1</sup></b>
National Priorities List	1 Mile	0
State/Tribal Hazardous Waste Sites	1 Mile	6
RCRA Corrective Action Treatment/Storage/ Disposal (TSD) Facilities (CORRACTS)	1 Mile	2
Delisted National Priorities List	½ Mile	0
CERCLIS Sites	½ Mile	0
CERCLIS No Further Remedial Action Planned (NFRAP) Sites	½ Mile	2
RCRA Non-Corrective Action TSD Facilities	½ Mile	2
State/Tribal Voluntary Cleanup Sites	½ mile	0
State/Tribal Brownfield Sites/CERCLIS Equivalent	½ mile	0
State/Tribal Leaking Registered Storage Tank Sites	½ Mile	19
State/Tribal Solid Waste Landfill Sites/Facilities	½ Mile	0
Historic Landfills	½ Mile	0
Federal/State/Tribal Engineering Controls Registries	½ Mile	0
Federal/State/Tribal Institutional Controls Registries	½ Mile	0
RCRA Large Quantity Generators	Project site and Adjoining Properties	0
RCRA Small Quantity Generators	Project site and Adjoining Properties	0
State/Tribal Registered Storage Tank Sites	Project site and Adjoining Properties	0
Manifest	Project site	0
Spill/Release Sites	Project site	10
Facility Index System (FINDS)	Project site	0
Emergency Response Notification System	Project site	0

*1: Identifies the number of sites with location information. These are in contrast with "orphan sites, which potentially lie within the search distance but could not be located by EDR due to incomplete and/or inaccurate address information in the U.S. EPA/ State databases. No orphan sites were identified in the EDR search.*

*Source: Phase I Environmental Assessment, Property Solutions, Inc., Sept. 2014; Environmental Database used was dated July 29, 2014.*

As a follow-up to the database search and the site reconnaissance, the Phase I ESA reviewed the following reports and correspondence related to historical import and export of fill material to and from the Project site.

- *Phase I Environmental Site Assessment report prepared by Dames & Moore on April 2, 1999 – This report noted the presence of large piles of fill soil on the Project site. The source of the fill was not identified. No discolored soil was noted. Dames & Moore did not identify the fill as a recognized environmental condition, and made no recommendations for further action.*
- *Report of Soil Removal prepared by Earth Systems Pacific on August 12, 2004 – This report documents the removal of approximately 130 cubic yards of hydrocarbon-contaminated soil (diesel fuel or fuel oil) that had been deposited on the Project site. The removal action included the collection and analysis of post-excavation soil samples in order to evaluate the adequacy of the remedial action. A total of 400*



*cubic yards of soil was transported for off-property disposal. Earth Systems Pacific concluded that the remedial action was adequate.*

- *Soils Material Report prepared by Earth Systems Pacific on July 20, 2010 – This report noted a “slight hydrocarbon odor” in the logs for all five soil borings advanced on the southwestern arm of the Project site for geotechnical engineering purposes. Earth Systems Pacific’s A-A’ cross section, which extends for more than 600 feet from northeast to southwest across the investigated area, identifies a “slight hydrocarbon odor” from an upper depth of 10 to 15 feet below ground extending to a lower depth of 16 to 25 feet below ground surface. Earth Systems Pacific’s B-B’ cross section, which extends for more than 800 feet from north to south across the investigated area, also identifies a “slight hydrocarbon odor” from an upper depth of 10 to 15 feet below ground extending to a lower depth of 16 to 25 feet below ground surface.*
- *Soil and Groundwater Investigation Report prepared by Geosyntec Consultants in June 2012 – This report noted that concentrations of detected pesticides were below California Human Health Screening Levels for residential land use, and concentrations of arsenic were below the Department of Toxic Substances Control’s background standard for Southern California. No further mitigation was recommended.*
- *Geotechnical Engineering Report prepared by Earth Systems Pacific on July 8, 2014 – This report noted that groundwater on the Project site occurred at depths as shallow as 22.5 feet below ground surface.*
- *Results of Soil Analysis, Northwest Stockpile prepared by Earth Systems Pacific on August 1, 2014 – This report noted the presence of stained and odorous soils, which, in their estimation, might render the soil undesirable for use at a property that is to be developed as a school, hospital, or residence. After laboratory analysis, Earth Systems Pacific reported that the analysis did not identify concentrations of target compounds that would preclude the use of the soils for fill at properties proposed for other uses (note: these soils are proposed to be exported from the site as part of the project).*

Aerial photographs of the site over time were also analyzed as part of the Phase I ESA. The photos and maps reviewed demonstrate that the portions of the site were in use as orchards and citrus groves from at least 1928 through 1973. After 1973, the entire site existed as undeveloped land until possible fill and the current access road were added between 1994 and 2005. According to the California Department of Toxic Substances Control’s (DTSC’s), Interim Guidance for Sampling Agricultural Properties, organochlorine pesticides (OCPs) were first introduced into California agriculture in 1944 and reached peak usage in the 1960s. DDT was banned from agricultural use in 1974, and the remaining OCPs in California agriculture were subsequently banned. Data gathered by DTSC from sites where agricultural use ended before to 1950 indicates that OCPs were not identified as chemicals of potential concern. In those cases, where OCPs were identified, the source appears to have been the application to structures on the property, and not the agricultural crops grown prior to 1950. Various areas of the Project site have experienced the delivery and removal of OCP contaminated soils over a period of years, and hydrocarbon-impacted soils remain. The use of lead arsenate and petroleum-based pesticides on fruit trees in California dates to the 1930s. The original ground surface from that time has been covered by fill, which mitigates the potential for direct contact under present conditions. Based on samples collected on the southerly contiguous non-subject Willow Springs II property that historically had the same orchards on site, pesticide and arsenic residues in soil on the project site would have



concentrations below residential and background standards as identified on the Willow Springs II property and reported in the Phase I ESA prepared by Property Solutions, Inc.

The Phase I ESA found no evidence of recognized environmental conditions in connection with the Project site. This conclusion indicates that the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property was not found beyond a de minimis (negligible) condition. However, the project site is located immediately south of U.S. 101, the Union Pacific Railroad, a high-pressure natural gas line on Hollister Avenue, and near a number of industrial businesses to the east, all of which would potentially be the source of accidental releases of hazardous materials. The General Plan EIR identifies these risks as unavoidably significant impacts.

Radon Gas. Radon is an odorless and tasteless, naturally occurring gas that has been linked to lung cancer. Radon exists in all soils throughout the United States and is produced from the breakdown of naturally occurring radium and uranium within the ground.

Radon gas studies performed by the California Bureau of Mines and Geology and the Department of Health Services (DHS) through 1995 indicate that Santa Barbara County falls within the Zone 1 designation, which suggests that there is a low to moderate potential for exposure to radon gas at or above the EPA recommended level of 4.0 pico curies per liter (pCi/L). The Radon Zone Map for Santa Barbara County produced by the Bureau of Mines and Geology indicates that the Project site falls within the low potential area for indoor radon levels above 4.0 pCi/L (California Bureau of Mines and Geology, 1995).

Proximity to the Union Pacific Railroad. The Project site is located immediately adjacent and to the south of the UPRR right-of-way. The railroad carries passenger cars as well as freight trains. Currently the only through train carrying hazardous materials is a unit train (a train with all cars carrying the same commodity) transporting crude oil in tank cars to refineries in the Los Angeles area that runs one to two days per week (Cuesta Pass Rails, 2015). However, it is possible that additional through trains transporting freight, including hazardous materials, could run in the future as they have in the past. Nothing prevents additional through trains carrying hazardous materials from using the rail lines, and no additional agency approvals would be required for this to occur. In addition, local trains deliver freight, including hazardous materials, to industry in the local area. Approximately four local trains hauling freight pass by the project site weekly (Cuesta Pass Rails, 2015). Issues associated with the site's proximity to the railroad include the potential for an accident (a derailment in particular) that could result in the release of hazardous material which in turn could result in a toxic and/or flammable gas could, fire, and/or explosion. The associated public health risk depends upon the materials released during an accident, the toxicity of the materials, and the wind direction that may carry the emissions from the release toward any occupied uses.

Proximity to U.S. 101. U.S. 101 is located north of the Project site, separated by the UPRR right-of-way and the on-ramp from S. Los Carneros Rd. Some of the truck traffic on U.S 101 involves transport of hazardous materials. Issues associated with the site's proximity to U.S 101 include the potential for a truck accident that could result in the release of hazardous material or ignition of a fire. The associated public health risk depends upon the materials released during an accident, the toxicity of the materials, and the wind direction that may carry the emissions from the release toward any occupied uses.

Industrial Businesses. Hazardous Materials Unit (HMU) of the Santa Barbara County Public Health Department is certified by CalEPA as the Certified Unified Program Agency (CUPA) for Santa



Barbara County. The CUPA regulates businesses that handle hazardous materials, generate or treat hazardous waste or operate aboveground or underground storage tanks.

Proximity to a High Pressure Natural Gas Line. A 16-inch diameter underground Southern California Gas Company high-pressure natural gas pipeline runs along the north side of Hollister Avenue from the west to about half way between S. Los Carneros Road and Cremona Drive where it turns south across Hollister Avenue away from the Project site. This pipeline runs within approximately 1,800 feet of the southwest corner of the property. This pipeline transports flammable, non-toxic natural gas. Issues associated with the site's proximity to the pipeline involve the potential for an accident that could result in the release and ignition of flammable gas. Because of the 1,800 feet separation distance, this pipeline does not present a hazard to the Project and therefore, is not addressed further in this study.

**b. Hazardous Material Regulation.** The management of hazardous materials and hazardous wastes is regulated at federal, State, and local levels through programs administered by U.S. EPA, agencies within the California Environmental Protection Agency (CalEPA) such as the Department of Toxic Substances Control (DTSC) and the Regional Water Quality Control Board (RWQCB), U.S. Department of Transportation (DOT), California Highway Patrol, federal and State Occupational Safety and Health agencies (OSHA), and Office of Emergency Services (OES). An overview of the regulation of hazardous materials is provided below. A more detailed discussion of hazardous material regulation can be found in Appendix F.

In California, the U.S. EPA has granted most enforcement authority over federal hazardous materials regulations to the Cal EPA. In California, regional agencies are responsible for programs regulating emissions to the air, surface water, and groundwater. At the project site, the Santa Barbara County Air Pollution Control District has oversight over air emissions, the Central Coast Regional Water Quality Control Board (Central Coast RWQCB) has jurisdiction over the City and regulates discharges and releases to surface and groundwater, and the County of Santa Barbara Hazardous Material Unit oversees programs involving storage and handling of hazardous materials. Oversight for investigation and remediation of sites affected by hazardous materials releases can be performed by state or local agencies, such as the DTSC, the State Water Resource Control Board, or the County Public Health Department. The Resource Conservation and Recovery Act (RCRA) is the United States' primary law governing the handling and disposal of hazardous waste. The RCRA, adopted in 1976, set out to ensure that wastes are managed in an environmentally sound manner.

Some businesses located near the Project site store and use hazardous materials. The owners of these facilities are required by law to prepare a Hazardous Materials Business Plan that lists the hazardous materials stored and their volumes and locations and submit the Plan to the Santa Barbara County Public Health Department when beginning to store such materials. This information is then provided to emergency response agencies so they are aware of the type of materials stored on site when responding to an emergency at that location. Therefore, a list of the current hazardous materials stored and used at these businesses is available to the public. However, businesses can change or add to the hazardous materials (except for "acutely hazardous"<sup>1</sup> materials in quantities above prescribed thresholds) that they

---

<sup>1</sup> 40 CFR §261.11.(a)-(2) allows the EPA administrator to classify hazardous waste, in part as follows: "It has been found to be fatal to humans in low doses, or in the absence of data on human toxicity, it has been shown in studies to have an oral LD 50 toxicity (rat) if less than 50 milligrams per kilogram, an inhalation LC 50 toxicity (rat) of less than 2 milligrams per liter, or a dermal LD 50 toxicity of less than 200 milligrams per kilogram or is otherwise capable of causing or significantly contributing to an increase in serious irreversible, incapacitating reversible, illness. (Waste listed in accordance with these criteria will be designated Acute Hazardous Waste.)"



store and use without additional regulatory review or approval as long as they comply with the applicable laws and regulations. In addition, new businesses could replace existing businesses without the need for any additional regulatory review or approval as long as they comply with the applicable laws and regulations, including the preparation of a Business Plan if they plan to handle hazardous materials. Additional building and fire department permits are required if additional tanks are to be constructed to store hazardous materials. Additional approval/update to a Hazardous Materials Business Plan is only required to allow for the storage of acutely hazardous materials above the prescribed threshold. A business must prepare and submit a Risk Management Plan (RMP) under the California Accidental Release Prevention (CalARP) Program to Santa Barbara County Hazardous Materials Unit for review and approval before such materials can be delivered to the site.

The County of Santa Barbara administers a number of federal and State laws and regulations at the local level. In addition, the California Fire Code and California Building Code include requirements pertaining to hazardous materials and hazardous wastes, which are monitored and enforced at the local level.

As discussed in the Section 4.7.1(a), the Santa Barbara County HMU regulates businesses that handle hazardous materials, generate or treat hazardous waste, or operate storage tanks with hazardous materials. As the County CUPA, the HMU regulates businesses that handle hazardous materials, generate or treat hazardous waste or operate aboveground or underground storage tanks. The primary goal of the CUPA Program is to protect public health and the environment by promoting compliance with applicable laws and regulations. All inspectors in the County of Santa Barbara CUPA Program are trained Hazardous Materials Specialists who take part in continuous education program to ensure consistency and uniformity during inspections.

The overall CUPA requirements are found in Health & Safety Code (HSC) Chapter 6.11 and California Code of Regulations (CCR), Title 27, Division 1, Subdivision 4, Chapter 1. The County of Santa Barbara CUPA is responsible for the following six consolidated environmental programs:

- *Hazardous Materials Release Response Plans & Inventory (“Business Plan”) - Authority: HSC Chapter 6.95, Article 1 & Title 19 CCR Chapter 4;*
- *Underground Storage Tanks (UST) - Authority: HSC Chapter 6.7 & Title 23 CCR, Division 3, Chapters 16 & 17;*
- *Hazardous Waste Generators - Authority: HSC Chapter 6.5 & Title 22 CCR Division 4.5;*
- *Onsite Hazardous Waste Treatment (“Tiered Permit”)- Authority: HSC Chapter 6.5 & Title 22 CCR Division 4.5;*
- *Aboveground Petroleum Storage Act (APSA) Authority: HSC Chapter 6.67;*
- *California Accidental Release Prevention (“CalARP”) - Authority: HSC Chapter 6.95, Article 2 & Title 19 CCR Chapter 4.5*

Each of these programs is discussed in detail in Appendix F.

Transportation of Hazardous Materials. The transportation of hazardous materials is regulated by the Federal Department of Transportation (DOT) and the California Department of Transportation (Caltrans). These regulations are discussed in Appendix F.

Storage and Handling of Hazardous Materials. The storage and handling of hazardous materials is regulated by a number of agencies, including federal OSHA, federal DOT, California OSHA, and Santa





Barbara County. Federal OSHA regulates the storage and handling of hazardous materials, including container specifications, safety release devices, inspection requirements, and handling requirements. Federal DOT regulations require that shippers of hazardous materials use appropriate containers and label the contents as required by law. California OSHA, under General Industry Safety Orders, specifies requirements for hazardous materials storage and handling and references both federal OSHA requirements and industry recommendations. The Santa Barbara County Fire Department periodically inspects facilities to ensure that they are storing hazardous materials correctly and have proper safety measures in place.

Hazardous Materials Business Plan. The Business Plan Program requires businesses that handle hazardous materials in quantities in excess of specified quantities to submit inventories of those materials to the CUPA, and to develop appropriate employee training and emergency procedures. The thresholds are:

- *55 gallons for a liquid*
- *500 pounds for a solid*
- *200 cubic feet (at standard temperature and pressure) for a gas*

The CUPA maintains the inventory and emergency contact information submitted from businesses in a computerized data management system. The CUPA, in turn provides this information to emergency response agencies.

#### 4.7.2 Impact Analysis

**a. Methodology and Significance Thresholds.** The City of Goleta’s Environmental Thresholds and Guidelines Manual contains thresholds for assessing the significance of impacts to public safety resulting from the involuntary exposure to hazardous materials. The manual establishes categories for identifying potential significant impacts to public safety including transportation of hazardous materials, as well as potentially significant impacts to non-hazardous land uses proposed in proximity to existing hazardous facilities. The manual specifically identifies a potentially significant impact to all development proposed in proximity to one or more existing hazardous facilities.

CEQA Guidelines Section 15126.2(a) provides guidance regarding consideration and discussion of significant environmental impacts related to hazards:

- *The EIR shall also analyze any significant environmental effects the project might cause by bringing development and people into the affected area.*
- *The EIR should evaluate any potentially significant impacts of locating development in areas susceptible to hazardous conditions as identified in authoritative hazard maps, risk assessments or land use plans addressing such hazards.*

In the California Building Industry Association v. Bay Area Air Quality Management District (CBIA v. BAAQMD; December 17, 2015, Case No. S213478) Supreme Court case, the Court unanimously concluded that agencies subject to CEQA generally are not required to analyze the impact of existing environmental conditions on a project’s future users or residents. However, when a proposed project risks “exacerbate” environmental hazards or conditions that already exist, an agency must analyze the potential impact of such hazards on future residents or users. Accordingly, the project was analyzed in



conjunction with the CBIA v. BAAQMD ruling to the extent that the project results in hazards or risk of upset, or exacerbates environmental hazards or conditions that already exist.

Appendix G of the CEQA Guidelines contains a checklist of environmental factors to be assessed to determine the potential for significant impacts. Based on this checklist, the Project's impact would be significant if it exceeds the following thresholds.

1. *The Project would create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.*
2. *The Project would create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.*
3. *The Project would be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment.*

Impacts related to airport safety and emergency evacuation would not be significant and are addressed in Section 4.17, *Effects Found Not to be Significant*. Wildland fire issues are discussed in Section 4.16, Wildfire ~~4.11, Public Services~~. Potential impacts associated with hazardous emissions are discussed in Section 4.2, *Air Quality*.

#### **b. Project Impacts and Mitigation Measures.**

**Impact HAZ-1 Hazardous materials may be present in the soils on the Project site and adjoining properties. However, due to the depth of potentially contaminated soils and required compliance with local and regional regulations, impacts would be Class III, less than significant [Threshold 1 and Threshold 3].**

As discussed in Section 4.7.1, *Setting*, as part of the Phase I ESA conducted for the Project site, a database search of public lists of sites that generate, store, treat, or dispose of hazardous materials or sites for which a release or incident has occurred was conducted for the Project site and included data from surrounding sites within a one-mile radius of the property. The Project site and adjoining properties were not listed in any of the databases searched by EDR. Based on standard sources reviewed and site observations, releases of chemicals of concern may have occurred on the Project site and has occurred on adjacent properties. However, contaminated soils are at a depth that eliminates potential impacts (Property Solutions Inc., 2014). In addition, the location of contaminated soils has been identified and these soils are proposed to be exported prior to Project construction, as described in Section 2.0, *Project Description*.

The documentation reviewed as part of the Phase I ESA concluded that various areas of the Project site have experienced the delivery and removal of contaminated soils over a period of years. The following provides a summary of documentation reviewed and action taken for imported fill on the Project Site:

- In its Phase I Environmental Site Assessment report dated April 2, 1999, Dames & Moore noted the presence of large piles of fill soil on the Project site. The source of the fill was not identified and no discolored soil was noted. Dames & Moore did not



identify the fill as a recognized environmental condition, and made no recommendations for further action.

- In its Report of Soil Removal dated August 12, 2004, Earth Systems Pacific documented the removal of approximately 130 cubic yards of hydrocarbon-contaminated soil (diesel fuel or fuel oil) that had mistakenly been deposited on the Project site. The removal action included the collection and analysis of post-excavation soil samples in order to evaluate the adequacy of the remedial action. A total of 400 cubic yards of soil was transported for off-property disposal. Earth Systems Pacific concluded that the remedial action was adequate.
- In its Soils Material Report dated July 20, 2010, Earth Systems Pacific noted a “slight hydrocarbon odor” in the logs for all five soil borings advanced on the southwestern arm of the Project site for geotechnical engineering purposes. Earth Systems Pacific’s A-A’ cross section, which extends for more than 600 feet from northeast to southwest across the investigated area, identifies a “slight hydrocarbon odor” from an upper depth of 10 to 15 feet below ground extending to a lower depth of 16 to 25 feet below ground surface. Earth Systems Pacific’s B-B’ cross section, which extends for more than 800 feet from north to south across the investigated area, also identifies a “slight hydrocarbon odor” from an upper depth of 10 to 15 feet below ground extending to a lower depth of 16 to 25 feet below ground surface. As described above, this was determined to be a de minimis finding (negligible impact) in the Phase I ESA (September 2014).
- In its Geotechnical Engineering Report dated July 8, 2014, Earth Systems Pacific noted that groundwater on the subject property occurred at depths as shallow as 22.5 feet below ground surface.
- In its Results of Soil Analysis, Northwest Stockpile dated August 1, 2014, Earth Systems Pacific noted the presence of stained and odorous soils, which, in their estimation, might render this soil (proposed to be exported) undesirable for use at a property that is to be developed as a school, hospital, or residence. Earth Systems Pacific reported that laboratory analysis did not identify concentrations of target compounds that would preclude the use of the soils for fill at properties proposed for other uses less sensitive than uses such as a school, hospital, or residence.

On the basis of the documentation reviewed, Property Solutions Inc. concluded that because of its depth, the soil that was noted with a “slight hydrocarbon odor,” appears to be de minimis (negligible) in its potential impact. This soil generally does not present a threat to human health or the environment and typically would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies. In addition, the location of contaminated soils has been identified and these soils are proposed to be exported prior to Project construction, as described in Section 2.0, *Project Description*. The management of the imported soils documented on the Project site is ongoing and would be subject to regulatory requirements of the City of Goleta (grading permits) and the Regional Water Quality Control Board (RWQCB), including the preparation of an associated Soil Management Plan that includes controls on the use and placement of the exported soils to reduce potential risks from exposure to potential contaminants in the soil. Compliance with these regulatory requirements (grading permit and RWQCB permit including a Soil Management Plan) would ensure that potential impacts related to contaminated soils would remain less than significant.



**Mitigation Measures.** Mitigation would not be required because no significant impacts have been identified.

**Residual Impact.** Impacts would be less than significant without mitigation.

**Impact HAZ-2** **Implementation of the Project would place residential structures and persons in proximity to existing businesses that use, store, and transport hazardous chemicals, as well as transport of hazardous materials on the existing UPRR railroad tracks and U.S. 101. ~~Onsite The Project would not increase risk of accident residents would therefore be exposed to a potential risk of upset~~ associated with chemical leaks and fire from nearby businesses, derailed trains, and truck accidents. ~~Although the probability of such incidents would be low; therefore, this impact would be Class III, less than significant and unavoidable [Threshold 2].~~**

Proposed residential structures and future residents on the project site would be located in proximity to several types of facilities in which hazardous materials are used, stored, or transported: nearby businesses, the UPRR railroad tracks, and the U.S. 101 freeway. The Project would not result in an increase in the use, store, and transport hazardous chemicals associated with the nearby businesses, or in the transport of hazardous materials on the existing UPRR railroad tracks or U.S. 101. Therefore, the Project would not result in increased risk associated with accident release from these facilities. However, the Project may be exposed to increased risk from these existing activities near the Project site. Although not considered an impact under CEQA pursuant to the CBIA v. BAAQMD ruling, each type of facility, and the potential increase in risk associated with these facilities, is discussed below for informational purposes.

#### *Nearby Businesses*

A mix of commercial and industrial businesses is located directly east of the Project site in the General Industrial zone district. Specific types of businesses in this area include software development, electric parts supplier, hardware store, property management, and automotive repair. Types of hazardous materials stored and used in these facilities consist mainly of oils and other lubricants, as identified in the Phase I report for the project site by Property Solutions, Inc.

As discussed in the Section 4.7.1(a), the Santa Barbara County HMU regulates businesses that handle hazardous materials, generate or treat hazardous waste, or operate storage tanks with hazardous materials. As the County CUPA, the HMU promotes compliance with applicable hazardous material laws and regulations.

The HMU's Business Plan Program requires businesses handling hazardous materials in quantities in excess of specified amounts to submit inventories of those materials and to develop appropriate employee training and emergency procedures. For such businesses, including those in close proximity to the Project site, the HMU requires preparation and filing of a Business Plan and Emergency Response Plan that ensures that all nearby hazardous materials are handled appropriately to minimize potential health and environmental effects. The HMU also maintains the inventory and emergency contact information submitted from businesses in a computerized data management system and, in turn, provides this information to emergency response agencies.



In April 2016, the HMU provided an updated list of businesses located within 1/4-mile of the project site that use potentially hazardous chemicals. As shown in Table 4.7-2, a number of light-industrial and commercial uses in the vicinity of the project site use hazardous chemicals in the course of operation.

**Table 4.7-2  
 Businesses that Use Hazardous Materials within ¼-Mile of the Project Site**

<b>Business Name</b>	<b>Address</b>
Advanced Automotive	74 Aero Camino B
AT&T Mobility	6485 Calle Real
California Highway Patrol	6465 Calle Real
Channel Island Marine	74 Aero Camino
Delta Welding and Fabrication, Inc.	36 Aero Camino
Enerpro, Inc.	99 Aero Camino
Get Real Performance	92 Aero Camino
Goleta Transmission	74 Aero
Goleta, City of	130 Cremona Drive B
M3 Precision/Sornesen Precision	57 Aero Camino
Santa Barbara Motorsports	6466 Hollister Avenue
Viscarra's Refinishing	6485 Calle Real G

*Source: Santa Barbara County Environmental Health Department, April 2016.*

The requirement that businesses prepare and submit Business Plans to Santa Barbara County means that the HMU and the Fire Department is aware of the hazardous materials that are stored at these businesses, where they are stored, and in what quantities. Fire Department personnel periodically visit the facilities to become more familiar with them. All businesses submitting Business Plans are also required to prepare and submit emergency/contingency response plans. Hence, all businesses are required to be prepared to take immediate action in the event of an incident. Fire Department personnel are required to also be prepared to take action based on the Business Plan. Businesses are required to update their Business Plans whenever major changes occur such as the addition of another hazardous material. In addition, a business would be required to apply for permits if a storage tank is to be added. Such an application would be reviewed by the building and fire departments before a permit would be issued. This would ensure that all codes are met and that additional mitigation measures are implemented as deemed necessary.

The laws and regulations in place mitigate the potential to the maximum extent feasible. In addition, in the event of an accident, the requirement for pre-planning and emergency response plans reduces the potential consequences of the accident. ~~Nevertheless~~ Therefore, while it is not possible to completely eliminate the potential for accidents, the and there remains a low probability for a future hazardous material release at any of the nearby facilities that store and use hazardous materials would be low; therefore, this impact would be less than significant. ~~Such a release could potentially affect the project site and site residents due to exposure to toxic fumes, explosions, or fire.~~

*UPRR Rail Line*

As discussed in Section 4.7.1, a unit train transporting crude oil travels along the UPRR adjacent to the project site one to two times per week. In addition, local trains deliver freight, including hazardous



materials to businesses located in the area. These trains operate in the Goleta area approximately four times per week. Trains hauling empty auto cars and container cars travel south along the route approximately once per day and a train hauling empty oil tank cars travels north one to two times per week (Cuesta Pass Rails, 2015). However, it is possible that additional through trains transporting freight, including hazardous materials, could run in the future as they have in the past. Nothing prevents additional through trains carrying hazardous materials from using the rail lines, and no additional agency approvals would be required for this to occur. The public health risk posed by an accidental release would depend upon the materials involved, their toxicity, and the wind direction that could carry emissions from the release. The prevailing weather pattern at the time of release would affect the rate of dilution and the direction of transport of any gaseous or volatilized materials.

Upset may also result from the explosion of highly volatile materials within the train cars or during a derailment. Because the project site is adjacent to the rail line, explosion and fire could pose a health risk in addition to that which could result from inhalation of volatile chemicals and fumes.

The potential impact can be evaluated only in terms of probabilities. The possibility of impact is determined by a combination of the probability of an accident, the probability that the released cargo is hazardous, and the probability that winds are blowing from the spill or release into the air toward occupied receptor sites. An analysis of the potential for a rail accident resulting in the release of hazardous material was recently completed on two projects located adjacent to the UPRR and approximately  $\frac{3}{4}$  and  $1\frac{1}{2}$  miles west of the project site (Envicom, 2012a and 2012b). The methodology used in these reports has been used to estimate the potential risk of local freight train accidents to the Project. Statistical data contained in two oil transportation studies, Washington State 2014 Marine and Rail Transportation Study (State of Washington, 2015) and U.S. Rail Transportation of Crude Oil: Background and Issues for Congress (Frittelli, et. al. 2014) were used to estimate the potential risk from the crude oil train to the Project.

Approximately six percent of total freight movement by rail in the United States in 2007 (the most current data available from the Office of Freight Management and Operations) consisted of hazardous materials (Office of Freight Management and Operations, 2012). The probability of a freight train accident over the 9-year period 2006 through 2014 was  $1.6 \times 10^{-5}$  (16 in one million) per mile of travel (Federal Railroad Administration Office of Safety Analysis, 2015). The probability of a hazardous materials release given an accident during this time period was  $2.0 \times 10^{-3}$  (two in one thousand). Approximately four local freight trains per day operate on the tracks adjacent to the Project site. The risk of a rail accident with release of hazardous material within this one-mile segment is calculated as follows:

- $4 \text{ trains per week} \times 52 \text{ weeks} \times 1 \text{ mile traveled near the Project site} \times 1.6 \times 10^{-5} \text{ (probability of accident per mile)} \times 2.0 \times 10^{-3} \text{ (probability of a hazardous materials release given an accident)} = 6.6 \times 10^{-6} \text{ (once every 150,000 years)}$

Injuries or fatalities may be somewhat less than the calculated probability of an accident. People located inside their apartments may be shielded from the impacts of a fire. Buildings and walls may also provide protection from the radiant heat from a fire (Orange County, 2013).

The probability of a crude oil unit train accident is estimated to be between 0.81 and 2.08 accidents per billion ton-miles transported (State of Washington, 2015). A typical unit train carries approximately three million gallons. Assuming 1.5-unit trains per week, this equates to 234 million gallons of crude oil



transported past the Project site annually. The weight of crude oil varies depending on the type, but crude oil generally weighs less than water. Assuming a conservative average weight of 7.5 pounds per gallon means that approximately 880,000 tons of oil are transported past the Project site annually. Assuming an accident rate of 2 accidents per billion ton-miles transported results in an annual probability of crude oil unit train accident with release within a half mile of the Project site (one mile segment) of  $3.6 \times 10^{-6}$  or once every 275,000 years. Such an accident could result in a spill, a fire, and/or an explosion. A fire or explosion could impact the health and safety of people at the Project.

Based on this analysis, the risk of derailment with or without hazardous material release is statistically low. ~~However, according to the~~ The Goleta General Plan FEIR (3.7-2 Transport); identifies this potential impact cannot be mitigated to a less than significant level and remains as significant with respect to rail traffic along the UPRR ROW, where the project site is located. The FEIR states that the potential impact “remains significant” and no feasible mitigation measures are available to reduce the level of significance. The City Council adopted a statement of overriding considerations with respect to this impact as part of its action in certifying the FEIR for the General Plan. However, the project site is designated for residential use under the adopted General Plan, and the Project would be consistent with the existing General Plan land use designation and zoning. Therefore, the Project would not increase exposure of residents to risk from transport of hazardous materials on the existing UPRR railroad tracks beyond levels already identified in the General Plan FEIR. As such, this impact would be less than significant.

#### *U.S. 101 Freeway*

The annual average daily truck traffic (AADT) on U.S 101 at Los Carneros Road in 2014 was 5,922 (Caltrans, 2015). This represented 9.0 percent of the total AADT. About half of these (49 percent) were trucks with five or more axles. In 2007, trucks transported the largest volume of hazardous materials through the nation’s transportation system, moving 1.2 out of 2.2 billion tons of hazardous materials. Approximately 13.7 percent of materials transported by truck were classified as hazardous (Bureau of Transportation Statistics, 2011). Table 4.7-3 shows the breakdown of hazardous materials shipped in trucks by hazard class.

The accident rate for trucks transporting hazardous materials is estimated to be  $3.2 \times 10^{-7}$  per mile (0.32 in one million) (Battelle, 2001). The vast majority of incidents involving truck releases will not impact resources located more than a few thousand feet from the place of the accident (see discussion below on the potential hazards from the various types of hazardous materials. To be conservative, the analysis has assumed that accidents that occur with a half mile of the project site (one mile segment) have the potential to impact the site. Thus, the probability of an accident involving a truck on U.S 101 within a one-mile segment adjacent to the Project is calculated as follows:

- *5,922 (truck AADT) x 365 (days per year) x 0.077 (percent trucks with hazardous materials) x  $3.2 \times 10^{-7}$  (accident rate per mile assumed for U.S 101) = 0.053 or one accident every 19 years*



**Table 4.7-3  
Hazardous Materials Truck Shipment Characteristics by Hazard Class**

Hazard Class and Description	Tons (thousands)	% Total Tons	Ton-miles (millions)	Average miles per shipment	Probability of Release
Class 1, Explosives	3,047	0.14%	911	738	$1.4 \times 10^{-5}$ (once every 71,400 yrs)
Class 2, Gases	250,506	11.23%	55,260	51	$1.1 \times 10^{-3}$ (once every 890 yrs)
Class 3, Flammable liquids	1,752,814	78.56%	181,615	91	$7.9 \times 10^{-3}$ (once every 130 yrs)
Class 4, Flammable solids	20,408	0.91%	5,547	309	$9.1 \times 10^{-5}$ (once every 11,000 yrs)
Class 5, Oxidizers and organic peroxides	14,959	0.67%	7,024	361	$6.7 \times 10^{-5}$ (once every 14,900 yrs)
Class 6, Toxic (poison)	11,270	0.51%	5,667	467	$5.1 \times 10^{-5}$ (once every 19,600 yrs)
Class 7, Radioactive materials	515	0.02%	37	5	$1.0 \times 10^{-6}$ (once every 500,000 yrs)
Class 8, Corrosive materials	114,441	5.13%	44,395	208	$5.1 \times 10^{-4}$ (once every 1,950 yrs)
Class 9, Miscellaneous dangerous goods	63,173	2.83%	23,002	484	$2.8 \times 10^{-4}$ (once every 3,500 yrs)
Total	2,231,133	100.00%	323,457	96	0.01 (once every 100 yrs)

*The probability of release for each class of hazardous materials is calculated by multiplying the total probability of release (0.01) by the % total tons for each class. For example, the probability of release for Class 1 is calculated by multiplying 0.01 times 0.0014 (0.14%) which equals 0.000014 ( $1.4 \times 10^{-5}$ ).*

It should be noted that an accident involving a truck carrying hazardous material does not always result in the release of the material. The Federal Emergency Management Agency's (FEMA) *Handbook of Chemical Hazard Analysis Procedures* (1989) estimates that approximately half of accidents result in a release, including very minor valve and fitting leaks. Omitting minor release accidents, a spill may result from an accident about 15 percent to 20 percent of the time (FEMA, 1989). After applying the more conservative assumption of 20 percent, the probability of a truck accident releasing hazardous material on U.S 101 within one half mile of the project is  $0.053 \times 0.2 = 0.01$ , or once every 100 years.

The Project site is approximately 250 feet and 300 feet south of the southbound lane of the freeway at the eastern and western sides of the site, respectively. The potential impact from a truck accident with release would be dependent of the type and amount of material released. Table 4.7-3 presents the probability of release by cargo type. As can be seen from Table 4.7-3, the sum of the probabilities of the individual hazard classes presented below is 0.01 or once every 100 years. The consequence of each type is discussed below.

Class 1, Explosives. An event involving explosives could cause property damage on the Project site as well as injury and or death. The probability of a release of explosive material is  $1.4 \times 10^{-5}$  or once every 71,400 years (see Table 4.7-3).





Class 2, Gases. The probability of a release of a gas is  $1.1 \times 10^{-3}$ , or once every 890 years (see Table 4.7-3). For a gas release to impact the Project, the wind would have to be blowing from the north. In addition, the gas would either have to be flammable or toxic and enough material would have to be released to generate a hazardous cloud that could reach the site. If a flammable cloud were to be ignited immediately at the source of the release, then there would be no impact to the Project site. FEMA (1989) estimates that 63 percent of the gases transported are flammable. Assuming a probability of the wind blowing from the north at 50 percent, the probability of a release possibly reaching the Project site is  $3.5 \times 10^{-4}$  or once in 2,890 years. Even if a gas cloud were to reach the property, a person would not necessarily be impacted. A non-toxic flammable gas would not pose a hazard unless it becomes ignited. The impact from a toxic gas cloud would depend on the type of material, concentration, and sensitivity of the person to that material. One effective way of responding to a release of a toxic gas is to shelter in place. Buildings provide shelter against contaminants by three methods: condensation of vapors on exterior walls, passive filtering by the building material and structure, and providing a physical barrier to vapor/gas intrusion. In addition to providing a physical barrier and causing vapors to condense, building exteriors provide a “filter” for contaminants as surfaces, cracks and pores absorb the contaminants before they enter the building. Once those vapors/gases enter the building they are diluted by the uncontaminated air already in the building. In addition, since a structure slows the rate of vapor/gas infiltration the effects of fluctuations in concentration are reduced. This reduces the indoor concentration relative to the outdoor concentration (Governor’s Office of Emergency Services, 2014).

Class 3, Flammable liquids. The majority of materials transported by trucks are classified as flammable liquids. This class includes materials that are either flammable or combustible. The probability of a release of a Class 3 liquid is estimated to be  $7.9 \times 10^{-3}$  or once every 130 years (see Table 4.7-3). There are two potential hazards from a release of a flammable liquid: a fire at the release point creating radiant heat that can produce burns and, if not ignited, a flammable gas cloud that can move with the wind and become ignited someplace else. A pool fire at the point of the accident produces radiant heat that can cause burns. The intensity of the heat is dependent on the material on fire and the size of the area on fire. The intensity of the radiant heat decreases as a function of distance. The California Department of Education (CDE, 2007) estimates that the hazard zone that could begin causing second degree burns on exposed skin after 30 seconds exposure from a gasoline fire with a diameter of 100 feet (7,800 square feet) would extend to 200 feet. People located indoors or behind structures would be afforded some protection from the heat. People outdoors would feel the heat and naturally move away from it. Based on CDE estimates (2007) for a flammable gas cloud from a gasoline release to reach the Project site, the diameter of the release would have to be greater than 460 feet (166,200 square feet). A combustible material does not produce a flammable gas cloud because it does not produce enough flammable vapors at ambient temperature to become ignited (e.g., its flash point is high).

Class 4, Flammable Solids. The probability of a release of a flammable solid is  $9.1 \times 10^{-5}$  or once every 11,000 years (see Table 4.7-3). Flammable solids are normally more difficult to ignite than flammable liquids. In addition, because flammable solids do not spread like a liquid when released, if they become ignited the surface area on fire is relatively contained. Therefore, the radiant heat produced is normally lower than that of a flammable liquid and the area potentially impacted is lower.

Class 5, Oxidizers and Organic Peroxides. An oxidizer is a liquid or solid material that may, generally by yielding oxygen, cause or enhance the combustion of other materials. An organic peroxide is any organic compound containing oxygen (O) in the bivalent -O-O- structure. If an oxidizer or organic



peroxide is also explosive, flammable, or a gas it is classified as such and not as an oxidizer or organic peroxide. Thus, a release of such material can exacerbate the consequences of an accident involving other hazardous materials but a release without an explosive, flammable, or gas classification would not pose a hazard to the Project site. The probability of a release of a Class 5 material is  $6.7 \times 10^{-5}$  or once every 14,500 years (see Table 4.7-3).

Class 6, Toxic (poison). These are poisonous materials other than gases. The probability of a release of a Class 6 material is  $5.1 \times 10^{-5}$  or once every 19,500 years (see Table 4.7-3). Because these materials are not gases, they would only be a hazard if someone comes in contact with them or is very near them. A release of a Class 6 material should not impact the Project site.

Class 7, Radioactive Materials. Very little radioactive material is transported by truck (see Table 4.7-3). The probability of a release of a Class 7 material is  $1.0 \times 10^{-6}$  or once every 500,000 years. Therefore, the probability of an event involving radioactive materials would be one in one million.

Class 8, Corrosive Materials. These materials are considered to be hazardous because they corrode other materials that they may come in contact with. Because the freeway is located over 250 feet north of the Project site, on the far side of the railroad ROW, it is unlikely that the Project site would come into contact with corrosive materials in the event of a truck accident, and such materials do not present a hazard to the Project site.

Class 9, Miscellaneous Dangerous Materials. These are hazardous substances that do not fall into the other categories and include materials such as asbestos, air-bag inflators, self-inflating life rafts, and dry ice. The probability of a release of a Class 9 material is  $2.8 \times 10^{-4}$  or once every 3,500 years (see Table 4.7-3). Based on the type of materials in this class, a release is unlikely to impact the project site.

Based on this analysis, the risk of exposure to upset conditions from U.S. 101 is statistically low. Nevertheless, an accident involving hazardous materials on U.S. 101 could impact the surrounding population. ~~According to the The General Plan FEIR (3.7-2 Transport), identifies this potential impact cannot be mitigated to a less than significant level by any of the General Plan policies and remains as~~ significant with respect to trucking, particularly along the U.S. 101 corridor, where the project site is located. The FEIR states that the potential impact “remains significant” and no feasible mitigation measures are available to reduce the level of significance. ~~Therefore, the potential hazard represented by trucking on the adjacent U.S. 101 corridor is significant and unavoidable for future residents on site.~~ The City Council adopted a statement of overriding consideration with respect to this impact as part of its action in certifying the FEIR for the General Plan. However, the Project site is designated for residential use under the adopted General Plan, and the Project would be consistent with the existing General Plan land use designation and zoning. Therefore, the Project would not increase exposure of residents to risk from transport of hazardous materials on U.S. 101 beyond levels already identified in the General Plan FEIR. Consequently, this impact would be less than significant.

#### *Risk of Upset Impact Summary*

Based on the above discussion, the potential for a hazardous material release from area businesses, U.S. 101, and the UPRR is low. ~~However, the The potential consequences of such a release could be catastrophic, resulting in injury or death to project site residents. Based on the potentially catastrophic consequences of a release and consistent with the findings of the City's General Plan FEIR, potential impacts related to the exposure of site residents to a hazardous material release are considered significant and unavoidable.~~ However, the Project would not increase exposure of residents to risks



associated with chemical leaks and fire from nearby businesses, derailed trains, and truck accidents beyond levels already anticipated in the General Plan FEIR. The Project also would be subject to conditions of approval, such as the following:

- Developing a plan for evacuation procedures in the event of accident/release of hazardous materials for approval by the Director of Planning and Environmental Review or designee before of the City issues a building permit.
- Developing and providing leases for apartment units that provide notification of hazards associated with the Project's location, including UPRR, US 101, and nearby businesses for approval by the City Attorney and by the Director of Planning and Environmental Review, or designee, before the City issues a building permit.
- Developing a notice to future property owners regarding the potential risks of upset to be reviewed and approved by the Director of Planning and Environmental Review and the City Attorney, and then recorded either as part of the Final Map or before of the City issues a building permit.

These conditions would further avoid risk of upset in the Project vicinity. Therefore, this impact would be less than significant.

**Mitigation Measures.** As stated in the General Plan FEIR, mitigation is not available to address the risk of upset associated with train derailment on the UPRR ROW and truck accidents on U.S. 101. The project site is also potentially subject to hazardous material releases from nearby businesses. Beyond existing regulations enforced by the County's Environmental Health Department, measures are not available to mitigate the risk of upset from these sources. Mitigation would not be required because no significant Project-specific impacts have been identified.

**Residual Impact.** Risk of upset impacts would remain significant and unavoidable due to the risks of a hazardous material release. To proceed with the Project, the City Council would need to adopt a statement of overriding considerations. Although mitigation is not available, the following conditions of approval are recommended regarding risk of upset.

- The Applicant must develop a mitigation plan for evacuation procedures in the event of accident/release of hazardous materials. This plan must be approved by the Director of Planning and Environmental Review or designee before of the City issues a building permit.
- The Applicant must develop and provide leases for apartment units that provide notification of hazards associated with the Project's location, including UPRR, SU 101, and nearby businesses. Clauses for the leases must be approved as to form by the City Attorney and by the Director of Planning and Environmental Review, or designee, before the City issues a building permit.
- The Applicant must develop a notice to future property owners regarding the potential risks of upset to be reviewed and approved by the Director of Planning and Environmental Review and the City Attorney, and then recorded either as part of the Final Map or before of the City issues a building permit.

Impacts would be less than significant without mitigation.



**c. Cumulative Impacts.** The General Plan Final EIR identifies a significant and unavoidable cumulative hazards and hazardous materials risk of upset/exposure impact resulting from the inherent risk associated with the transport of hazardous materials along major transportation routes (including U.S. 101, and the Union Pacific railroad tracks). Significant hazards identified in the General Plan Final EIR include the risk of a trucking or rail accident and subsequent release of hazardous materials.

~~Other hazards, including potential hazardous material releases from businesses, represent a significant and unavoidable impact on residents and have been identified in this EIR. The overall risk associated with the handling, storage, and transport of hazardous materials would be expected to increase following build-out of the General Plan as additional development is introduced in close proximity to major transportation routes and hazardous material users. The potential for exposure to hazards and hazardous materials as a result of an accidental release would be statistically low or very low. Nevertheless, Therefore, while the cumulative risk of such exposure associated with the introduction of additional population in close proximity to U.S. 101, the UPRR railroad tracks, and businesses that store and use hazardous materials, is has been found to be considered significant and unavoidable in the General Plan FEIR, and the Project's contribution to this impact would be considered cumulatively considerable less than significant (Class III).~~

Cumulative projects proposed in and around Goleta would have the potential to expose future area residents, employees, and visitors to hazards by developing and redeveloping areas that may have previously been contaminated. The magnitude of hazards for individual projects would depend upon the location, type, and size of development and the specific hazards associated with individual sites. If lead-based paint and/or asbestos containing materials are found to be present in buildings planned for demolition or renovation, or in the case that soil and groundwater contamination are found to be present on sites of planned and future development, these conditions would be required to comply with existing applicable local, state and federal regulations. Hazard evaluations would be completed on a case-by-case basis for future development. Compliance with applicable regulations and implementation of appropriate mitigation measures, including remedial action on contaminated sites, would address impacts related to these hazards and hazardous materials associated with future development in the City. Cumulative impacts related to soil and/or groundwater contamination would be less than significant and the Project's contribution would not be considerable. Given the scope of planned and pending projects as listed on Table 3-1 in Section 3.0, *Related Projects*, the majority of which are residential properties that do not utilize hazardous materials, significant cumulative public health or safety hazards are not anticipated with regard to contaminated sites.



*This page intentionally left blank.*



## 4.8 HYDROLOGY AND WATER QUALITY

This section analyzes the Project's potential to adversely affect hydrology and water quality. Issues discussed in this section include water quality, stormwater flows, flooding hazards, and site drainage. Potential impacts to wetlands downstream of the Project are discussed in Section 4.3, *Biological Resources*. Potential impacts on water supply are discussed in Section 4.14, *Utilities and Services Systems*.

This section draws from two reports: the *Preliminary Stormwater Control Plan for Heritage Ridge*, dated February 2, 2016 and the *Preliminary Hydraulic Report for North Willow Springs*, dated August 27, 2014. These reports were peer-reviewed for accuracy and revised based upon that review. These reports are contained in their entirety in Appendix G. This section also refers to Figure 2-6 in Section 2.0, *Project Description*, which shows the preliminary Grading and Drainage Plan, including the locations of storm drains, drainage inlets, subterranean drainage retardation, and other features related to hydrology.

### 4.8.1 Setting

**a. Existing Conditions.** The 17.36-gross acre Project site is currently made up of 13 undeveloped lots adjacent to the previously developed Willow Springs I and Willow Springs II which is currently under construction. Currently there are two large soils stockpiles onsite with an unpaved access road. One stockpile is located on the west side of the Project site near Calle Koral and another stockpile runs along the north and east property lines. The central portion of the site is an archaeologically sensitive area, and is currently fenced and undisturbed (*Preliminary Stormwater Control Plan for Heritage Ridge*, refer to Appendix G).

Site Surface Drainage. Existing vegetation on the Project site consists of very sparse to moderate growth of weeds and brush. The site soils are classified primarily as Goleta Fine Sandy Loam, Milpitas-Positas Fine Sandy Loam, and Xerorthents, which have relatively high rates of infiltration. The center portion of the Project site has the highest elevations on the site and forms a ridge that divides the site drainage, with approximately half the site draining in a westerly direction and half the site draining in an easterly direction. Ultimately, all runoff from the site drains through existing storm drains and into a 7.25-acre treatment wetland located on the adjacent Willow Springs property. Runoff entering the treatment wetland drains across 500 feet (storm drain "A") and 950 feet (storm drain "C") of wetland vegetation before leaving the property at Hollister Avenue. Vegetative cover on the property is highly variable and dependent upon the activity of the stockpile. The hydrologic soils group is mapped as both soil type B and soil type D (*Preliminary Stormwater Control Plan for Heritage Ridge*, refer to Appendix G).

Surface Runoff Quantity. Retention basin calculations for the treatment wetland were performed as part of the approved *Final Willow Springs I Hydraulic Report* (2002) and accounted for developed runoff from North Willow Springs (the Project site) and Willow Springs II (which has since been constructed). The outflow from the retention basin is controlled through use of a trapezoidal weir.

Post-development hydrographs for the 10-, 25-, 50-, and 100-year rainfall events were routed through the retention basin using the Santa Barbara County Flood Control Urban Hydrograph method (SBUH) and compared with the pre-development hydrographs. Pre- and post-development calculations routed through the retention basin are summarized in Table 4.8-1 (*Preliminary Hydraulic Report for North Willow Springs*, refer to Appendix G).



**Table 4.8-1**  
**Pre- and Post-Development Runoff Rates for the Retention Basin**

Return Period	Pre-Development Runoff, cfs	Post-Development Runoff, cfs	Difference, cfs
100	95.3	90	-5.3
50	83.0	80	-3.0
25	70.8	69	-1.8
10	56.3	56	0

Source: Preliminary Hydraulic Report for North Willow Springs, Appendix G.

Surface Water Quality. Tecolotito Creek flows southward from the retention basin to its confluence with Los Carneros Creek south of Hollister Avenue and ultimately flows into the Goleta Slough (Slough). Tecolotito Creek and Los Carneros Creek are considered the primary sources of fresh water for the Slough. These waterways are shown in the context of Goleta’s major hydrological features in Figure 4.8-1.

According to California’s 2010 Integrated Report, which is developed by the State Water Resources Control Board (SWRCB) pursuant to the Clean Water Act, both Tecolotito Creek and the Goleta Slough are designated as impaired waterways (SWRCB, 2011). Tecolotito Creek is listed as impaired due to the following pollutants:

- Chloride
- Sodium

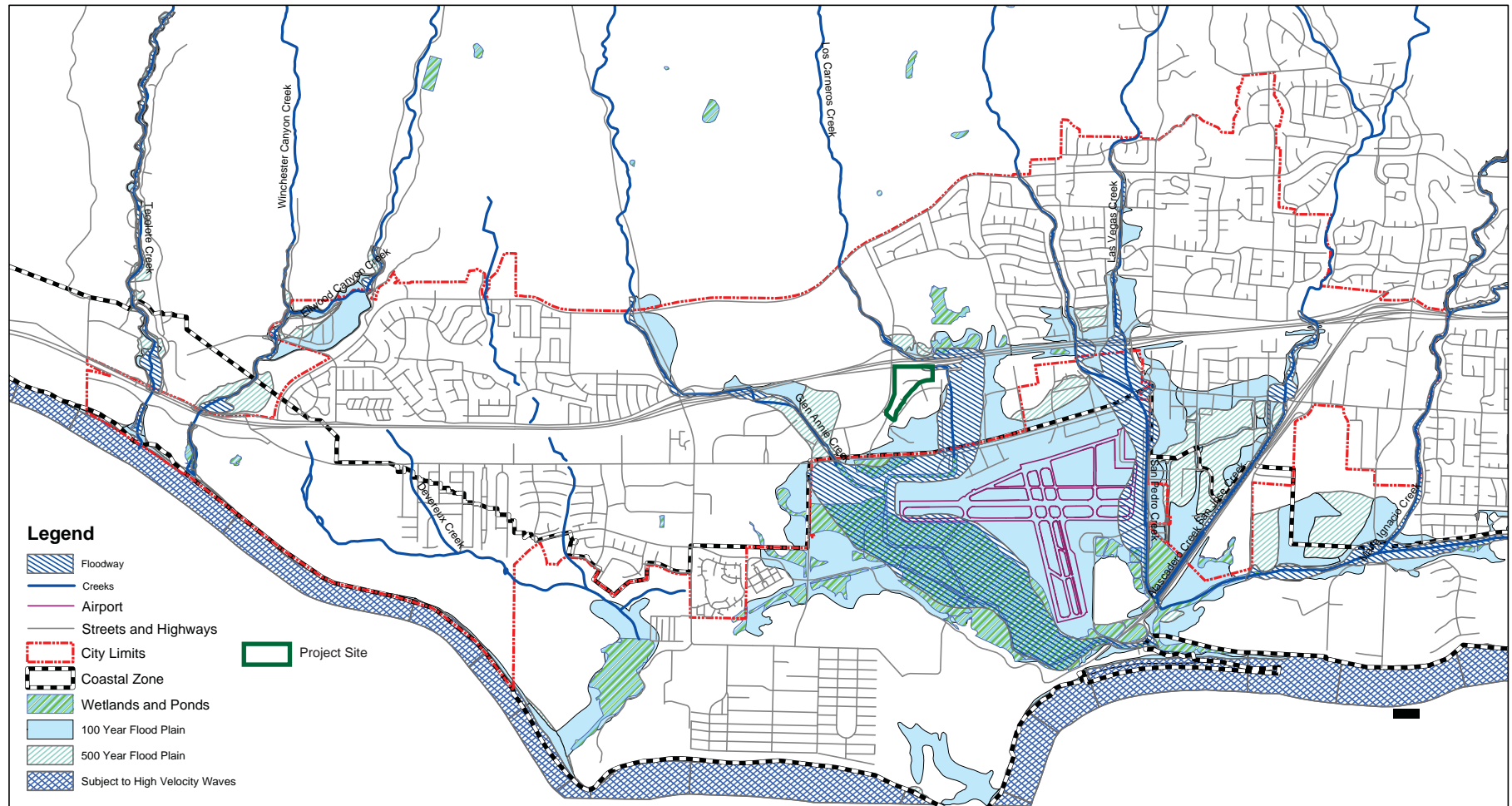
Los Carneros Creek is listed as impaired due to the following pollutants:

- Nitrates
- *Escherichia coli* (*E. coli*)
- pH
- *Enterococcus*
- Electrical Conductivity

The Goleta Slough is listed as an impaired estuary due to pathogens from unknown sources, urban runoff/storm sewers, and natural sources, and due to “priority organics” from non-point sources.

Flood Hazard. The Federal Emergency Management Agency (FEMA) defines 100-year flood hazard areas through the publication of Flood Insurance Rate Maps (FIRM). As shown by Figure 4.8-2, the FIRM for the Project site (Map ID 06083C1362G) shows that the site is not within the 100-year flood zone of any nearby waterways. Low-lying shoreline areas, and areas adjacent to sloughs and coastal streams, are most susceptible to tsunami hazards in Goleta (Goleta, GP/CLUP, Safety Element, 2006). Figure 5-2 in the City of Goleta General Plan shows that the Project site is outside of the potential tsunami run-up area. The City-designated potential run-up area includes anticipated effects from potential earthquake sources and hypothetical extreme landslide sources, generally following the 12-meter (approximately 40 feet) topographic contour. The Tsunami Inundation Map for Emergency Planning developed by California Emergency Management Agency (CalEMA) does not include the Project site within the State-designated Tsunami Inundation Area (CalEMA, 2009).





Source: City of Goleta, May 2004.

Major Hydrological Features in the City of Goleta

Figure 4.8-1  
 City of Goleta





Imagery provided by Google and its licensors © 2015. FEMA Flood Levels provided by the County of Santa Barbara, August 2009.

FEMA Flood Map of the Project Location

Figure 4.8-2  
City of Goleta

Lake Los Carneros is located north of the Project site, just north of U.S. Highway 101 (U.S. 101). In the event of dam failure at Lake Los Carneros, inundation flows would occur along the same path of the Los Carneros Creek which flows generally north to south through the City toward the Goleta Slough. The creek runs parallel to the U.S. 101/Union Pacific Railroad (UPRR) right-of-way, north of the project site, and south through a concrete channel in the Aero Camino industrial area, east of the site. It then runs westerly parallel to Hollister Avenue to the areas south of the Project site and then on toward the Goleta Slough. The Dam Inundation Zones map, prepared for the Santa Barbara County 2017 Multi-Jurisdictional Hazard Mitigation Plan shows that the Project site is outside of the Lake Los Carneros dam inundation area (Santa Barbara County Office of Emergency Management, 2017).

#### **b. Regulatory Setting.**

##### Federal.

*Clean Water Act.* The primary goals of the Federal Clean Water Act, 33 USC §§ 1251, *et seq.* (CWA) are to restore and maintain the chemical, physical, and biological integrity of the nation's waters and to make all surface waters fishable and swimmable. The CWA forms the underlying national regulations for managing water quality and the control of pollutant discharges. The CWA objectives include regulating pollutant and toxic pollutant discharges; providing for water quality which protects and fosters the propagation of fish, shellfish and wildlife; developing waste treatment management plans; and developing and implementing programs for the control of non-point sources pollution.

The CWA provides the legal framework for several water quality regulations including the National Pollutant Discharge Elimination System (NPDES), effluent limitations, water quality standards, pretreatment standards, anti-degradation policy, non-point source discharge programs, and wetlands protection.

Section 303(d) of the CWA (33 U.S.C. § 1313) requires identification and listing of water-quality limited or "impaired" water bodies where water quality standards or receiving water beneficial uses are not met. Once a water body is listed as "impaired," total maximum daily loads (TMDLs) must be established for the pollutants or flows causing the impairment. Once established, the TMDL allocates the loads among current and future pollutant sources to the water body. In general, where urban runoff is identified as a significant source of pollutants causing the impairments and is subject to load allocating, the implementation of and compliance with the TMDL total maximum daily loads requirements is administered through a combination of individual Industrial Stormwater Permits, the General Industrial and General Construction Stormwater Permits, and the City of Goleta's municipal stormwater NPDES program. The Environmental Protection Agency (EPA) has delegated the responsibility for administration of portions of the CWA to state and regional agencies, including the State of California. Accordingly, the primary regulations resulting from the CWA (e.g., the NPDES program) are discussed in the state and local regulation discussions that follow.

The CWA regulates the discharge of dredged or fill material into water of the United States, including wetlands. A 404 permit is required before dredged or fill material may be discharged into waters of the United States and must be reviewed by the U.S. Army Corps of Engineers. A 404 permit was issued to the property owner of Willow Springs I to maintain a riparian area/ wetland adjacent to the development. This permit was issued for stormwater runoff from the Willow Springs I, II, and III. (Willow Springs III is now known as Heritage Ridge.)





*Federal Antidegradation Policy.* The CWA's antidegradation policy requires individual states to develop statewide antidegradation policies and identify methods for implementing them. Pursuant to 40 C.F.R. § 131.12, state anti-degradation policies and implementation methods must, at a minimum, protect and maintain: (1) existing in-stream water uses; (2) existing water quality where the quality of the waters exceeds levels necessary to support existing beneficial uses, unless the state finds that allowing lower water quality is necessary to accommodate economic and social development in the area; and (3) water quality in waters considered an outstanding national resource. State permitting actions must be consistent with the federal antidegradation policy (40 C.F.R. § 131.12).

#### State.

*Porter-Cologne Water Quality Control Act (California Water Code).* The State of California is authorized to administer federal law or state-enacted laws regulating water pollution within California. The Porter-Cologne Water Quality Control Act (Water Code §§ 13000, *et seq.*) includes regulations to implement the CWA. These provisions include NPDES permitting, dredge and fill programs, and civil and administrative penalties. The Porter-Cologne Act is broad in scope and addresses issues relating to the conservation, control, and utilization of the water resources of the State. Additionally, the Porter-Cologne Act states that the quality of all the waters of the State (including groundwater and surface water) must be protected for the use and enjoyment by the people of the State (Water Code § 13000).

The SWRCB and its nine Regional Water Quality Control Boards (RWQCBs) are agencies within the umbrella structure of the California Environmental Protection Agency (CalEPA). The SWRCB has the principle responsibility for the development and implementation of California water quality policy and must develop programmatic water quality control procedures to be followed by the RWQCBs. The Central Coast RWQCB is the region that regulates water quality permitting in the City of Goleta. The Central Coast RWQCB adopted a Revised Water Quality Control Plan (Basin Plan) on September 8, 1994. The Basin Plan designates beneficial uses and establishes water quality objectives for groundwater and surface water within the Central Coast Region.

Water Code § 13050 defines what is considered pollution, contamination, or nuisance. Pollution means an alteration of water quality such that it unreasonably affects the beneficial uses of water (which may be for drinking, agricultural supply, or industrial uses). Contamination means an impairment of water quality to the degree that it creates a hazard to the public health. Nuisance is defined as anything that is injurious to health, is offensive to the senses, or is an obstruction to property use, and which affects a considerable number of people.

*Discharge Permits.* On August 19, 1999, the SWRCB reissued the General Construction Storm Water Permit (Water Quality Order 99-08-DWQ). On December 8, 1999 the State Water Board amended Order 99-08-DWQ to apply to sites as small as one acre. The SWRCB issued a new statewide NPDES General Permit for stormwater discharges associated with construction activities (Order No. 2009-0009-DWQ, amended by 2010-0014-DWQ and 2012-0006-DWQ). To obtain coverage under the most recent General Permit, any project that disturbs an area equal to or greater than one acre requires electronic filing of all permit-related compliance documents and fees. The necessary documents include, but are not limited to, a Notice of Intent (NOI), a Stormwater Pollution Prevention Plan (SWPPP), annual reports, a Notice of Termination (NOT), and numeric action level (NAL) exceedance reports. As the stormwater program develops, the Regional Water Boards may issue General Permits or Individual Permits that contain more specific permit provisions. When this occurs, the SWRCB General Permit no longer regulates those dischargers that obtain coverage under Individual Permits.



The Central Coast RWQCB issues combined NPDES Permits under the CWA and California Water Code to all point source dischargers of waste to surface waters. To ensure protection of water quality, NPDES Permits may contain effluent limitations for pollutants of concern, pollutant monitoring frequencies, reporting requirements, schedules of compliance (when necessary), mandates for operating conditions, BMPs, and administrative requirements. NPDES Permits apply to publicly owned treatment works (POTWs) discharges, industrial wastewater discharges, and municipal, industrial, and construction site stormwater discharges.

*State Antidegradation Policy.* The SWRCB adopted Resolution No. 68-16 (October 28, 1968), “Statement of Policy with Respect to Maintaining High Quality Waters in California” (more commonly referred to as the “State Antidegradation Policy”), which restricts the degradation of surface waters of the State and protects bodies of water where the existing water quality is higher than necessary for the protection of present and anticipated designated beneficial uses. This State policy is generally consistent with the subsequently adopted Federal Antidegradation Policy discussed previously. The State Antidegradation Policy is implemented by the Central Coast RWQCB.

Local.

*Stormwater Technical Guide for Low Impact Development.* Effective March 6, 2014, new and redevelopment in the City of Goleta must be designed to prevent water quality impacts from occurring, during both the construction phase, as well as throughout the life of the project, by implementing the Central Coast RWQCB’s Post-Construction Stormwater Management Requirements for Development Projects in the Central Coast Region. To assist project applicants in meeting these requirements, the City of Goleta has adopted the Santa Barbara County Stormwater Technical Guide for Low Impact Development (Guide) (February 2014/2017). The Guide is designed to ensure City compliance with post-construction requirements, facilitate review of applications, and promote integrated Low Impact Development (LID) design. The Guide interprets, clarifies, and adds to the post-construction requirements.

The purpose of the Guide is to implement and enforce a program designed to reduce the discharge of pollutants to the “maximum extent practicable” (MEP) to protect water quality. According to the Phase II Small MS4 General Permit Order 2013-0001-WQ, effective July 1, 2013, the MEP standard is an ever-evolving, flexible, and advancing concept, which considers technical and economic feasibility. Since knowledge about controlling urban runoff continues to evolve, so does the mitigation, which constitutes the MEP. Reducing the discharge of stormwater pollutants to the MEP in order to protect beneficial uses requires review and improvement, which includes seeking new opportunities. To do this, the City must conduct and document an evaluation and assessment of each relevant element of its program and revise, as necessary, activities, control measures, BMPs, and measurable goals to meet the MEP.

*Project Clean Water.* Project Clean Water (PCW) is the County of Santa Barbara’s stormwater quality program initiated in 1998 to improve water quality in local creeks and the ocean by implementing many of the aspects of NPDES BMPs. This program also includes watershed planning and restoration as well as pilot treatment control BMPs and monitoring. PCW is managed and staffed by the Santa Barbara County Water Agency and the Environmental Health Services Division (EHS) of the Public Health Department, who are available to work closely with the City of Goleta as needed for access to water quality information.



*General Plan/Coastal Land Use Plan.* Goleta's General Plan addresses water resource issues and conditions within the City. The Conservation Element of the General Plan established policies that the City will implement with regard to its operations, including regulation of new development. These Conservation Element policies and the objectives that relate to water resources are as follows:

CE 2: Protection of Creeks and Riparian Areas

**Objective:** *Enhance, maintain, and restore the biological integrity of creek courses and their associated wetlands and riparian habitats as important natural features of Goleta's landscape.*

CE 3: Protection of Wetlands

**Objective:** *To preserve, protect, and enhance the functions and values of Goleta's wetlands.*

CE 10: Watershed Management and Water Quality

**Objective:** *To prevent the degradation of the quality of groundwater basins and surface waters in and adjacent to Goleta.*

CE 15: Water Conservation and Materials Recycling

**Objective:** *To conserve scarce water supply resources and to encourage reduction in the generation of waste materials at the source and recycling of waste materials.*

As discussed further Under Impact HWQ-2, the Central Coast RWQCB has adopted new stormwater quality standards as part of Order R3-2013-0032, which took effect in March 2014. This order creates new specific standards for development projects in the Central Coast region. These standards, termed Post-Construction Stormwater Management Requirements, replace the City's Interim Low Impact Development (LID) Criteria, which had been in effect since 2009.

## 4.8.2 Impact Analysis

**a. Methodology and Significance Thresholds.** Impacts to surface drainage were evaluated by a comparison of pre-development drainage, under current site conditions, and calculations of runoff flow rates after development of the Project. Water quality impacts were evaluated based on the expected discharge of pollutants to impaired waterways in the Project vicinity. Lastly, flood hazards were assessed according to FEMA flood maps and estimates of tsunami run-up in the Goleta General Plan and CalEMA tsunami inundation maps.

Based on the *CEQA Guidelines*, a significant impact related to hydrology and water quality could occur, if the Project would:

1. *Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?*
2. *Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that the project may impeded sustainable groundwater management of the basin there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land*



- ~~uses or planned uses for which permits have been granted)?~~ (Addressed in Section 4.14, Utilities and Services Systems)
3. *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site?*
  4. *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would ~~or~~ substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?*
  5. *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?*
  6. *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would impede or redirect flood flows?*
  7. *In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?*
  8. *Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?*
  9. ~~*Otherwise substantially degrade water quality?*~~
  10. ~~*Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (Addressed in Section 4.15, Effects Found Not to be Significant)*~~
  11. ~~*Place within a 100 year flood hazard area structures which would impede or redirect flood flows? (Addressed in Section 4.15, Effects Found Not to be Significant)*~~
  12. ~~*Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (Addressed in Section 4.15, Effects Found Not to be Significant)*~~
  13. ~~*Inundation by seiche, tsunami, or mudflow?*~~

The City of Goleta's *Environmental Thresholds and Guidelines Manual (2021)* specifies the following significance thresholds (these thresholds have been organized according to the topics addressed in this section).

Hydrology and Drainage. The Project would result in a significant impact related to surface drainage if it would:

- *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate of amount of surface runoff in a manner that would result in flooding, increased erosion, or increased sedimentation on-site or off-site [Thresholds 3 and 4]; or*
- *Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or increase runoff into naturally drained areas without storm drains [Threshold 5].*



Surface Water and Groundwater Quality. The Project would result in a significant surface water or groundwater impacts if its construction or operation results in:

- *Disturbance of one (1) or more acres of land if the project is located within an urbanized area of the County and the project construction or redevelopment individually or as a part of a larger common plan of development [Threshold 5];*
- *An increase in the amount of impervious surfaces on a site by 25 percent or more [Thresholds 4 and 5];*
- *Channelization or relocation of a natural drainage channel [Thresholds 3 and 4];*
- *Discharge of pollutants that exceed the water quality standards set forth in the applicable NPDES permit, the Basin Plan or otherwise impairs the beneficial uses of a receiving waterbody [Thresholds 1, 5 and 8 5];*
- *Results in a discharge of pollutants into an “impaired” waterbody that has been designated as such by the SWRCB or the RWQCB under Section 303 (d) of the CWA [Threshold 1];*
- *Results in a discharge of pollutants of concern to a receiving water body, as identified in by the RWQCB [Threshold 1];*
- *Substantial degradation of groundwater quality [Threshold 1]; or*
- *If a project does not comply with the City’s Stormwater Program [Thresholds 1, 5 and 8 5].*

~~Due to the site’s relatively flat topography and the minimal slopes on adjoining parcels, the threat of mudslides and other similar hazards related to hydrology is considered non-existent. Furthermore, the No portion of the Project site is within or adjacent to a local 100-year flood hazard area. The Project site is not subject to any hazard posed inundation by a future failure of any upstream levee or dam. Therefore, impacts related to housing within a 100-year flood hazard area (Thresholds 7 and 8) and exposure of people to a risk of loss, injury, or death involving flooding impeding or redirecting flood flows, or release of pollutants from flood flows (Thresholds 6 and 79) would be less than significant and are not discussed further in this section (refer to Section 4.17, *Effects Found Not to be Significant*).~~

#### **b. Project Impacts and Mitigation Measures.**

**Impact HWQ-1** During grading and construction of the Project, the soil surface would be subject to erosion and downstream watersheds could be subject to temporary sedimentation and discharges of various pollutants. Compliance with discharge requirements during grading and construction would ensure that hydrologic impacts from construction would be Class III, *less than significant [Threshold 1]*.

The Project would involve construction of ~~360~~ 332 residential units and associated landscaping and hardscape. Estimated preliminary Project grading would include approximately 178,000-cubic yards of cut and 15,500-cubic yards of fill with approximately ~~115,000~~ 92,000-cubic yards of export material, as described in Section 2.3.3. Excavation and grading could result in erosion of soils and sedimentation, which could cause temporary impacts to surface water quality and therefore violate water quality standards or contribute additional sources of polluted runoff. Project development would likely require temporary on-site storage of excavated soils (stockpiling). During grading and soil storage, there is the



potential for soil migration offsite via wind entrainment and/or water erosion. In addition, there is potential for erosion caused by the tires of vehicles and equipment throughout the construction period.

Impacts would be minimized during all phases of Project construction through compliance with the Construction General Permit (this permit is described above in Section 4.8.1(a), *Existing Conditions*, under the headings *Regulatory Setting*, *State Regulations*, and *Discharge Permits*) and with City grading regulations. To comply with these regulations, the applicant would be required to prepare and implement a SWPPP, which must include erosion and sediment control BMPs that would meet or exceed measures required by the Construction General Permit, as well as BMPs that control other potential construction-related pollutants. Erosion control BMPs are designed to prevent erosion, whereas sediment controls are designed to trap sediment once it has been mobilized. Examples of BMPs that may be implemented during construction include the use of geotextiles and mats, temporary drains and swales, silt fences and sediments traps. Erosion control practices may include the use of drainage controls such as down drains, detention ponds, filter berms, or infiltration pits; removal of any sediment tracked offsite within the same day that it is tracked; containment of polluted runoff onsite; use of plastic covering to minimize erosion from exposed areas; and restrictions on the washing of construction equipment.

The Construction General Permit requires the SWPPP to include a menu of BMPs to be selected and implemented based on the phase of construction and the weather conditions to effectively control erosion and sediment using the Best Available Technology Economically Achievable and Best Conventional Pollutant Control Technology (BAT/BCT) and to protect water quality. These construction site management BMPs would be implemented for the Project during the dry season and wet season as necessary depending upon the phase of construction and weather conditions. These BMPs would help ensure effective control of not only sediment discharge, but also of pollutants associated with sediments, including but not limited to nutrients, heavy metals, and certain pesticides or herbicides. Because the development and implementation of a SWPPP is a standard requirement that would apply to this Project, hydrologic impacts from construction would be less than significant.

**Mitigation Measures.** Hydrologic impacts from construction would be less than significant with implementation of standard requirements. No mitigation is required to further reduce impacts.

**Residual Impact.** Impacts from construction would be less than significant without mitigation.

**Impact HWQ-2** **The Project would alter on-site drainage patterns and increase impermeable surfaces. Preparation of a maintenance agreement is required to ensure long-term protection and maintenance of drainage facilities. Impacts on site drainage would be Class II, significant but mitigable [Thresholds 3 and 4].**

The Project would involve a Vesting Tentative Map to merge the existing 13 lots on the Project site into two lots for residential use and one lot for a 2-acre public park, resulting in a substantial increase in impervious surface on the site. The proposed on-site building coverage would total ~~3.13.46~~ acres (representing approximately 17-24.63 percent of the 14.05 net developable area excluding the public park 17.36-gross-acre site). Accounting for these buildings as well as the proposed driveways, carports, and parking areas, impervious surfaces would cover approximately 6.8.0 acres (~~35~~-approximately 56.9 percent of the net developable area excluding the public park) of the Project site. The remainder of site coverage would consist of ~~a 0.6~~0.79-acres of bioretention basins, a ~~two~~-acre park, and ~~7.26.23~~ acres of





common open space. ~~Total impervious surface area is estimated to be about 37 percent after completion of the Project.~~ The substantial increase in impervious surface would result in reduced infiltration and increased sheetflow on the site. In addition, grading would affect site drainage by reducing the grade differential across the site; however, existing drainage patterns would not be substantially altered because major natural drainage features are not present onsite.

To accommodate changes to the onsite movement of water during operation of the Project, LID design strategies would be incorporated into the Project. Uncovered parking stalls throughout the Project would be constructed with permeable pavers set on a gravel base. Some walkways and patio area would also be constructed with permeable pavers. Runoff from roof areas would be directed to landscape areas where possible. In addition, bioretention basins, vegetated swales, permeable pavers set on a gravel reservoir, treatment planter boxes, and a subsurface ADS Stormtech Chamber system, would be used as Stormwater Control Measures. The detention system also incorporates components that act as stormwater filtration units at each point of stormwater conveyance into the subsurface system. The bioretention areas and storm drainage storage system are proposed to achieve compliance with the Central Coast RWQCB's Order R3-2013-0032 and City of Goleta flood control and water quality requirements.

The City of Goleta has adopted the Santa Barbara County Stormwater Technical Guide for Low Impact Development. The bioretention basins have been designed using the calculation spreadsheet provided by the stormwater Guide. According to City of Goleta Standard Conditions for Project Plan Approval – Water Quality BMPs, the water quality design volume for stormwater detention on the Project site would be 24,508 cf. The volume of the Project's proposed detention ~~facility is~~ facilities are 30,000 cf, thus exceeding the water quality design volume requirement.

Based on these post-development conditions, the *Preliminary Hydraulic Report for North Willow Springs* (refer to Appendix G) estimates overall runoff volumes from the Project site into the City's storm drain system. Total post-development peak flows subject to the proposed drainage control infrastructure are estimated at 56 cfs for the 10-year storm event, 69 cfs for the 25-year storm event, 80 cfs for the 50-year storm event, and 90 cfs for the 100-year storm event. Results of the pre- and post-development calculations routed through the retention basin are summarized in Table 4.8-1 above (*Preliminary Hydraulic Report for North Willow Springs*, refer to Appendix G).

As shown in Table 4.8-1, post-development peak runoff rates would be equal or less than the expected runoff rates for the same return periods from the pre-development peak runoff rates.

Central Coast RWQCB Order R3-2013-0032, which took effect in March 2014, creates new Post-Construction Stormwater Management Requirements (Post-Construction Requirements) for development projects in the Central Coast region. These replace the City's Interim LID Criteria, which had been in effect since 2009. The primary objective of the Post-Construction Requirements is to ensure that Project applicant reduce pollutant discharges to the maximum extent practicable and prevent stormwater discharges from causing or contributing to a violation of receiving water quality standards. The Post-Construction Requirements emphasize protecting and, where degraded, restoring key watershed processes to create and sustain linkages between hydrology, channel geomorphology, and biological health necessary for healthy watersheds. The Post-Construction Requirements include specific standards related to:

- *Site design and runoff reduction;*



- *Water quality treatment;*
- *Runoff retention; and*
- *Management of peak runoff levels.*

The applicant would be required to submit a comprehensive Hydrology and Hydraulic Analysis signed by a registered Civil Engineer that details the pre- and post-development conditions of the Project site. As described in Section 4.3, *Biological Resources*, the Project would not result in a reduction in runoff that would result in any hydrological interruption to in Los Carneros Wetland or affect the existing hydrological process. Consistent with the Post-Construction Requirements, this report would identify drainage control improvements that would be integrated into the Project design. The submitted final Hydrology and Hydraulic Analysis would be reviewed and approved by City staff before approval of any Land Use Permit for the Project.

The preliminary design of stormwater treatment facilities and other stormwater pollution control measures in this plan are in accordance with the current edition of the Santa Barbara County Project Clean Water's Stormwater Technical Guide. Drainage infrastructure would be constructed as proposed and maintained over the life of the Project. Failure to either construct as proposed and/or maintain the system over the life of the Project could result in failure of these facilities and post-development stormwater flows exceeding pre-development flows causing substantial increases in bank/channel erosion or siltation at this discharge point in local surface waters.

Without a Stormwater Control Plan, the Project would have a potentially significant impact on site drainage.

**Mitigation Measures.** To reduce impacts to site drainage, the Project would be required to submit a Stormwater Control Plan.

**HWQ-2 Maintenance Agreement and Stormwater Control Plan.** The applicant must execute a maintenance agreement and Stormwater Control Plan with the City, in a form approved by the City Attorney, that implements maintenance requirements for all improvements associated with all BMPs described in the final approved Hydrology and Hydraulic Analysis and Storm Water Control Plan. The agreement must be executed before the City issues any final certificate of occupancy.

**Plan Requirements and Timing:** At a minimum, the maintenance agreement and Stormwater Control Plan between the applicant and City must include requirements that all inline storm drain filters must be inspected, repaired, and cleaned per manufacture specifications and at a minimum before September 30<sup>th</sup> of each year. Additional inspections, repairs, and maintenance must be performed after storm events as needed throughout the rainy season (November 1<sup>st</sup> to April 15<sup>th</sup>) and/or per manufacture specifications. Any necessary major repairs must be completed before the next rainy season. Before September 30<sup>th</sup> of each year, the applicant must submit to Public Works for review and approval a report summarizing all inspections, repairs, and maintenance work done during the prior year.



**Monitoring:** City Planning and Environmental Review staff must verify compliance before approval of any occupancy permit for the Project. City Planning and Environmental Review staff must verify compliance with the provisions of the agreement periodically and respond to instances of non-compliance with the agreement.

**Residual Impact.** With preparation of maintenance agreement identified in the Hydrology and Hydraulic Analysis and Storm Water Control Plan, impacts on site drainage would be reduced to a less than significant level.

**Impact HWQ-3** **New sources of pollution associated with operation of the proposed residential development have the potential to affect impaired waterways in Goleta. However, compliance with State and local requirements would ensure that impacts from water pollutants would remain Class III, less than significant [Thresholds 5 and 86].**

The new residential units associated with the Project would introduce a variety of pollutants typical of residential development to a site that is currently vacant and undeveloped. Waste in the form of leftover paints, solvents, cleaning and automotive products, or pool chemicals associated with recreational facilities, could be spilled or dumped into the storm drain system. Nutrients from fertilizers and animal waste along walking trails, including nitrogen and phosphorous, can result in excessive or accelerated growth of vegetation or algae, resulting in oxygen depletion and additional impaired uses of water. Heavy metals such as lead, cadmium, and copper are the most common metals found in urban storm water runoff. These metals can be toxic to aquatic organisms, and have the potential to contaminate drinking water supplies. Furthermore, impermeable surfaces such as driveways would accumulate deposits of oil, grease, and other vehicle fluids and hydrocarbons (which can be toxic to aquatic organisms at low concentrations), while preventing infiltration of polluted runoff during storm events and facilitating the off-site transport of pollutants.

Residential development on the Project site would incrementally increase the amount of pollutants that could be contained in the first flush of runoff from the area associated with residents and associated uses (car washing, chemical cleaners, pets, trash, etc.). The increase in impervious surface ~~to more than~~ of approximately 8.0 acres 37 percent of the Project site would incrementally increase peak flows from the site to offsite drainages (refer to Table 4.8.1). As discussed in the Section 4.8.1, stormwater runoff from the Project site would generally flow to detention basins before being discharged and eventually flowing into Tecolotito Creek, Los Carneros Creek, and the Goleta Slough.

Project features such as landscaping and permeable paving would mitigate the discharge of polluted runoff. In addition, installation of mutt-mitt dispensers and refuse receptacles along walking paths, and in park or open areas would reduce pollution from animal waste. As discussed in the preliminary drainage analysis for the Project (refer to Appendix G), the proposed drainage infrastructure would provide infiltratable features onsite to remove stormwater pollutants prior to discharge off-site. As downspouts on the proposed buildings convey runoff from rooftops, it would be discharged to landscaped common areas. A portion of runoff on the site would infiltrate the pervious surface in landscaped areas and percolate through the soil, reducing the transport of pollutants off-site. In addition, the proposed use of permeable pavers within the parking areas onsite, would enable infiltration of surface water during storm events. Nevertheless, the potential remains for pollutants from operation of the project to be discharged into Tecolotito Creek, Los Carneros Creek, and the Goleta



Slough, all of which are listed as impaired waterways based on Central Coast RWQCB criteria. To address the potential for pollutant discharges into these impaired water bodies, the Project would be required to comply with the Post-Construction Stormwater Management Requirements of Order R3-2013-0032, as described under Impact HWQ-2.

By increasing the amount of ~~effective~~ impervious surface onsite by approximately 8.0 acres ~~37 percent~~, the Project would be subject to the most stringent criteria under Post-Construction Requirements. Based on the proposed site design, the Project would meet the performance measure for water quality (treatment of stormwater runoff up to the ~~85<sup>th</sup>~~ 95<sup>th</sup> percentile).

The applicant would be required to apply for a National Pollutant Discharge Elimination System (NPDES) Storm Water Permit from the California RWQCB. Implementation of the NPDES-required Storm Water Permit would ensure that 100 percent of rainfall from the site would flow either into/onto the source control BMPs or onto areas of undisturbed natural vegetation, and would reduce impacts that could occur from pollutants on-site or increase in storm flows on or off-site. Furthermore, as part of the comprehensive drainage report discussed under Impact HWQ-2, the applicant would be required to incorporate BMPs for stormwater quality into the Project's design, consistent with the requirements of the Central Coast RWQCB's Post-Construction Requirements.

With compliance with the Post-Construction Requirements, the Project would have a less than significant impact on water quality.

**Mitigation Measures.** Impacts related to water quality would be less than significant. No mitigation is necessary to further reduce impacts.

**Residual Impact.** Impacts would be less than significant without mitigation.

~~**Impact HWQ-4** — **The Project site is located outside of a FEMA-mapped flood area. Impacts related to flood hazards would be Class III, less than significant [Threshold 10].**~~

~~As discussed in Section 4.8.1(a), *Existing Conditions*, the Project site is outside of any flood hazard area as mapped by FEMA. Given the property's relatively flat topography and the minimal slopes on adjoining parcels, the threat of mudslides and other similar hazards is considered non-existent. The Project site is not subject to any hazard posed by a future failure of any upstream levee or dam as it is located outside of any dam inundation area mapped by the County of Santa Barbara (2006). The Project site is not within the General Plan potential tsunami run-up area, and is outside of the Tsunami Inundation Line mapped by CalEMA (2009). Therefore, the Project would have less than significant impacts related to flood hazards.~~

~~**Mitigation Measures.** Mitigation is not required as impacts would be less than significant.~~

~~**Residual Impact.** Impacts would be less than significant without mitigation.~~

**c. Cumulative Impacts.** Cumulative projects in the Goleta area, including those that are pending, approved, or under construction, would add ~~1,511~~ 741 residential units and more than ~~1.8~~ 782,000 million-square feet of commercial and retail space. Collectively, these projects would add new sources of water pollution and would increase the amount of impervious surface in the Goleta area, contributing to



existing impairments of waterways such as Tecolotito Creek, Los Carneros Creek, and the Goleta Slough. In particular, the Project could contribute to cumulative stormwater flows; sedimentation and siltation of surface water bodies; and water pollution from bacteria, metals and other sources. Given that Tecolotito Creek, Los Carneros Creek, and the Goleta Slough are currently impacted, cumulative impacts to water quality would be potentially significant.

Nevertheless, the Project would be subject to implementation of appropriate Best Management Practices in accordance with City, State, and Federal requirements. Furthermore, all qualifying projects are subject to the requirements of the NPDES Permit, which is specifically designed to develop, achieve, and implement a timely, comprehensive, and cost-effective storm water pollution control program. As with the Project, cumulative projects that disturb more than one acre of soil would be required to compile and implement a SWPPP, which would include appropriate BMPs. Moreover, the Project would be expected to meet the applicable water quality standards and sufficiently reduce its incremental contribution to cumulative water quality impacts to a less than significant level. The Project, with incorporation of the proposed on-site detention systems, implementation of storm water standards/regulations, and implementation of mitigation measures included in this EIR would meet requirements for stormwater discharge during construction and operation of the Project. Therefore, the Project would not contribute significantly to cumulative impacts to regional water quality and hydrology.



## 4.9 LAND USE AND PLANNING

This section analyzes the Project's land use compatibility with existing land uses and consistency with applicable City land use policies. Additional impacts that can affect the Project's compatibility with adjacent and nearby land uses are discussed in the following sections: Section 4.1, *Aesthetics*; Section 4.2, *Air Quality*; Section 4.7, *Hazardous Materials/Risk of Upset*; Section 4.10, *Noise*; and Section 4.13, *Transportation and Circulation*. The purpose of this discussion is to identify whether or not the Project would conflict with City land use policies and thereby result in an environmental impact, policy inconsistency or prevent mitigation of environmental effects intended by the policy. This discussion is provided for environmental analysis and does not affect the City Council's determinations regarding the Project. Pursuant to CEQA, and for purposes of this analysis, an action, program or project is consistent with the General Plan if, considering all of its aspects, it will further the goals, objectives and policies of the overall Plan.

### 4.9.1 Setting

**a. Regional Land Use.** Goleta encompasses approximately eight square miles and is located in the South Coast of Santa Barbara County. The City is situated along U.S. 101, the major coastal highway linking northern and southern portions of the state. A portion of the City, including its two-mile Pacific shoreline, is within the California Coastal Zone. The Santa Barbara Municipal Airport, which is within the corporate boundaries of the City of Santa Barbara, lies near the geographical center of Goleta. The land use pattern in Goleta today is primarily a result of a transition over many decades from rural and agricultural land uses to a suburban community (Goleta General Plan/Coastal Land Use Plan FEIR, 2006). The predominant land use in Goleta is residential, though the City also includes a variety of commercial, industrial, and institutional land uses as well as agricultural land.

**b. Site and Surrounding Land Uses.** Historically, the Project site was used for grazing and agriculture (including row crops and orchards). The Project site is currently undeveloped and sparsely vegetated with weeds and shrubs. There are also a number of rock piles, pieces of construction machinery and storage containers that are stored on-site. The Project site is surrounded by existing development as described below.

To the north of the Project site, the Union Pacific Railroad tracks are located approximately 50 feet from the site's northern property line. The U.S. 101 southbound freeway on-ramp from South Los Carneros Road is immediately north of the railroad tracks, which is approximately 160 feet from the sites' northern property line. U.S. 101 is located north of the on-ramp, approximately 250 feet from the northern property line. South Los Carneros Road is located directly west of the Project site. A residential development (Village at Los Carneros) with 465 residential units has recently been constructed on a formerly vacant site west of South Los Carneros Road. To the east of the Project site, industrial businesses are located along Aero Camino Road. Across Camino Vista Road to the south of the Project site are 335 multi-family residential units (Willow Springs I and II) previously constructed and currently managed by the Towbes Group. Surrounding land uses are labeled on the aerial view of the Project site shown on Figure 2-2.

**c. Regulatory Setting.** Goleta General Plan/Coastal Land Use Plan ("General Plan") is a comprehensive statement of goals, objectives, and policies relating to the development of the community, the management of potential hazards, and the protection of natural and cultural resources within its boundaries. The General Plan is the primary means for guiding future change in Goleta and



provides a guide for decision-making. The General Plan was adopted in 2006 and amended and republished in 2009. It includes the following elements: Land Use, Open Space, Conservation, Safety, Visual and Historic Resources, Transportation, Public Facilities, Noise, and Housing.

As discussed in Section 2.0, *Project Description*, the Project site has a General Plan land use designation of Medium-Density Residential (R-MD) and is located in the “Central Hollister Residential Development Area” with a corresponding designation as an Affordable Housing Opportunity Site. This designation requires a minimum residential density of 20 units per acre and a maximum density of 25 units per acre. The Inland Zoning Ordinance designation of Design Residential<sup>1</sup> permits up to a maximum of 20 units per acre. Figure 2-3 identifies the General Plan land use designations for the Project site and surrounding properties. Figure 2-4 provides the zoning designations for the Project site and the surrounding properties. Table 2-1 provides site and surrounding land use information.

The Project site is also located within the City’s Central Hollister Residential Development Area. According to the General Plan the objective of this area is to “promote coordinated planning and development of designated medium-density residential uses in the Central Hollister area in order to create quality, livable environment with appropriate design and amenities for future residents of this new residential neighborhood.”

The Project includes an application for a General Plan Amendment involving a correction to Figure 4-1 of the Conservation Element and Figure 3-5 of the Open Space Element of the General Plan as amended. These figures indicate the existence of coastal sage scrub Environmentally Sensitive Habitat Area (ESHA) on the property. Because no ESHA was found on-site during recent biological surveys, the current designation on the General Plan maps will be removed. This action is not considered a project pursuant to CEQA.

## 4.9.2 Impact Analysis

**a. Methodology and Significance Thresholds.** Land use impacts were assessed based upon the level of physical impact anticipated for the various issues that can affect compatibility (air quality, noise, human health and safety, aesthetics), as well as consistency with adopted plans, policies, and regulations.

Based on Appendix G of the *CEQA Guidelines*, the effects of the Project on land use would be significant if the Project would:

1. *Physically divide an established community; or*
2. *Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigation an environmental effect.*

As discussed above, the Project site is located within the City’s Central Hollister Residential Development Area and development of the Project site would contribute to the objectives established for this area. The Project would not divide an established community; therefore the Project would have

---

<sup>1</sup> The Project site is currently zoned Medium Density Residential (RM). However, the Project application was deemed complete prior to September 2019, when the new zoning code (Title 17) took effect in April 2020. Therefore, the Project is being processed under the previous zoning code (Article III, Inland Zoning Code).



no impact with respect to Threshold 1. This threshold is discussed in Section 4.17, *Effects Found Not to be Significant*. The Project's compatibility with applicable land use plans and policies is analyzed in Impact LU-1 and Table 4.9-1.

**b. Project Impacts and Mitigation Measures.**

**Impact LU-1    The Project would be consistent with applicable General Plan policies, accounting for mitigation included throughout this EIR. Impacts would be Class III, less than significant [Threshold 2].**

When the General Plan was adopted in 2006, the City Council considered the land use and zoning designations for all vacant parcels in the City and determined that residential land use/zoning designations with an Affordable Housing Opportunity designation was appropriate for the Project site. The Project site has a General Plan land use designation of Medium-Density Residential (R-MD) (refer to Figure 2-3 in the Project Description for the Project site and the surrounding properties' land use designations). The R-MD land use designation allows a maximum of 20 units per acre and a minimum of 15 units per acre. The site is also designated as Affordable Housing Opportunity Site within General Plan Housing Element, which allows for a maximum of 25 units per acre and a minimum of 20 units per acre.

The developable lot area is used to calculate residential density. The net developable acreage is defined pursuant to Land Use Element Policy LU 2.2 as gross acreage minus all acreage containing the following development constraints:

- *Environmentally sensitive habitat areas;*
- *Areas prone to flooding and geologic, slope instability, or other natural hazards;*
- *Areas with stormwater drainage problems;*
- *Presence of other significant hazards or hazardous materials;*
- *Protection of significant public and private views;*
- *Exposure to exterior noise levels that exceed a Community Noise Exposure Level (CNEL) of 60 dBA (see related NE 1.2);*
- *Areas with archaeological or cultural resources;*
- *Deficiencies in the type or level of services necessary for urban development, such as transportation facilities (roadway and pedestrian), sewer and water service, and emergency service response time; and*
- *Prevailing densities of adjacent developed residential areas.*

After removing the development constraints area of 3.31 acres from the 17.36-acre Project site pursuant to LU 2.2, the net developable acreage is 14.05 acres. With the proposed 332 housing units, the density would be 23.63 units per acre (net developable). At the 25 units per acre maximum specified by the General Plan for this Central Hollister Housing Opportunity Site, the site is restricted to 356 units and, therefore, the Project would not exceed the density limit.

The Project site is located within the City of Goleta's Central Hollister Residential Development Area. According to the General Plan, the objective of this area is to "promote coordinated planning and development of designated medium-density residential uses in the Central Hollister area in order to create quality, livable environment with appropriate design and amenities for future residents of this new residential neighborhood." The Project involves medium density residential uses consistent with the General Plan vision for the Central Hollister Residential Development Area. This area is close to such





amenities as public transit, local and regional circulation routes, major employment centers, major shopping areas, restaurants, and other commercial services. The applicant's objectives for the Project include providing affordable and market-rate housing and complying with the Regional Housing Needs Allocation (RHNA) requirements as well as utilizing the existing public infrastructure (Camino Vista and all utilities) provided by Willow Springs I and II.

Land Use Policies LU 8.5 and LU 8.6 guide development in the Central Hollister area. Consistency with applicable policies in the General Plan for the Central Hollister area and for residential development in general is shown in Table 4.9-1.

As indicated previously, the Project also proposes an amendment to the General Plan that would revise Figure 3-5 of the Open Space Element and Figure 4-1 of the Conservation Element to remove an ESHA designation of Coastal Sage Scrub that does not occur on the property. Specifically, although the Project site contains a City of Goleta mapped ESHA, the habitat was not found within the Project boundary or immediately adjacent areas during the biological resources analysis and therefore Project includes an amendment to the General Plan to remove the ESHA designation of Coastal Sage Scrub.

The Project would be consistent with the front and rear yard setbacks, parking design, distance between buildings, building coverage, height limit, open space and landscaping requirements of the City's zoning regulations. The total amount of required parking for the residential portion of the Project per the zoning code would be 542 spaces with ~~530~~ 494 spaces provided. This results in a ~~1248~~-space deficit for the residential uses. A Modification from parking requirements will not be required due to State Density Bonus Law parking reduction allowances which reduces the required parking for the residential uses to 455 spaces. As detailed in the Project Description, because the Project will provide approximately 31% of the total units for lower income residents, the Project qualifies for prescriptive parking rights under the State Density Bonus Law. Under the State Density Bonus Law, the zoning required parking for the Project is one space for studio units and two spaces for two- and three-bedroom units. By applying these parking rights to the proposed development, the Project would have a total surplus of ~~7539~~ parking spaces for the residential uses.



**Table 4.9-1  
 Consistency with Policies in the Goleta General Plan**

Policy	Discussion
<b>LAND USE ELEMENT</b>	
<p><b>LU 1.2: Residential Character.</b> The Land Use Plan map shall ensure that Goleta’s land use pattern remains predominately residential and open, with the majority of nonresidential development concentrated along the primary transportation corridor— east and west along Hollister Avenue and US-101. The intent of the Land Use Plan is to protect and preserve residential neighborhoods by preventing intrusion of nonresidential uses that would be detrimental to the preservation of the existing character of the neighborhoods.</p>	<p><b>Consistent.</b> The Project is a residential development and is located between Hollister Avenue and U.S. 101. The Project does not involve nonresidential uses that would intrude in an existing residential neighborhood (see Impact LU-4 in this section).</p>
<p><b>LU 1.7: New Development and Protection of Environmental Resources.</b> Approvals of all new development shall require adherence to high environmental standards and the preservation and protection of environmental resources, such as environmentally sensitive habitats, consistent with the standards set forth in the Conservation Element and the City’s Zoning Code.</p>	<p><b>Consistent.</b> Site-specific biological analysis indicates that the Project would not result in an impact to ESHAs or other environmental resources. Although the Project site contains a City of Goleta mapped ESHA, the habitat was not found within the Project boundary or immediately adjacent areas during the biological resources analysis and the Project includes an amendment to the General Plan to remove the ESHA designation of Coastal Sage Scrub.</p> <p>See additional discussion of consistency with Conservation Element policies below.</p>
<p><b>LU 1.8: New Development and Neighborhood Compatibility.</b> Approvals of all new development shall require compatibility with the character of existing development in the immediate area, including size, bulk, scale, and height. New development shall not substantially impair or block important viewsheds and scenic vistas, as set forth in the Visual and Historical Resources Element.</p>	<p><b>Consistent with Mitigation.</b> As redesigned, the size, bulk, scale, and height of the Project would fit with the surrounding development, most notably the adjacent Willow Springs Phases I and II residential developments. The proposed design of various project components is intended to blend with the surrounding residential and industrial development. <del>Additionally, Mitigation measures AES-4(a) and AES-4(b) would be required to reduce potentially significant impacts from the Project’s massing and architectural style and to ensure that building heights remain consistent with adjacent development.</del></p> <p>With regard to scenic views identified in the General Plan, including Figure 6-1, the Project development will be visible primarily from the Los Carneros Road Overpass, the U.S. 101 Los Carneros southbound on-ramp, and the Los Carneros Road scenic view. As described in Impact AES-1, the redesigned project with two- and three-story buildings in the southwest portion of the site would not obscure the existing ridgeline of the Santa Ynez Mountains, minimally obstructing existing views of the mountains to the northeast from the perspective of northbound motorists on South Los Carneros Road. Therefore, as discussed in Section 4.1, <i>Aesthetics</i>, the Project would have a less than significant (Class III) impact on scenic views.</p> <p>See additional discussion of consistency with Land Use Policy LU 1.2, and Visual and Historic Resources policies.</p>



**Table 4.9-1  
Consistency with Policies in the Goleta General Plan**

Policy	Discussion
<p><b>LU 1.9: Quality Design in the Built Environment.</b> The City shall encourage quality site, architectural, and landscape design in all new development proposals. Development proposals shall include coordinated site planning, circulation, and design. Public and/or common open spaces with quality visual environments shall be included to create attractive community gathering areas with a sense of place and scale.</p>	<p><b>Consistent.</b> The Project would provide an activity trail, fitness stations, tot lot, benches, barbecue area, picnic tables, bicycle parking, and a level turf play area.</p> <p>See additional discussion for Policies LU 1.7 and LU 1.8.</p>
<p><b>LU 1.10: Multifamily Residential Development.</b> The Medium- and High-Density Multifamily designations shall provide appropriate locations for multifamily dwellings as well as allow development standards that enable creativity and diversity in design while protecting health and safety. The use categories differ in terms of maximum permitted densities allowed, but each designation shall permit a range of housing types, including detached units, attached townhouses, and garden apartments. All multifamily developments shall be required to provide or ensure:</p> <ol style="list-style-type: none"> <li>Adequate open space and recreational facilities, such as parks, open spaces, or bike paths as an integral part of the development; community garden areas are encouraged.</li> <li>Appropriate amounts of outdoor space for the exclusive use of individual residential units.</li> <li>Appropriate pedestrian and bicyclist access to commercial or other activity centers and appropriate facilities to encourage use of public transit.</li> <li>Adequate services and facilities (such as sewer, water, and roadway capacity) concurrent with development.</li> <li>Adequate off-street parking.</li> <li>Appropriate access by emergency vehicles.</li> </ol>	<p><b>Consistent.</b> The Project is a multifamily residential Project within the Medium-Density designation. The Project density is consistent with the R-MD/Affordable Housing Opportunity designation, while health and safety would be protected through noise and air quality mitigation. The Project includes a range of unit sizes (studios, and one-, two-, and three-bedroom units).</p> <p>The Project includes private recreational facilities accessible to residents of the Project, including: an activity trail, fitness stations, tot lot, benches, barbecue area, picnic tables, bicycle parking, and a level turf play area. As stated in this section and in Section 4.13, <i>Transportation and Circulation</i>, the Project would provide pedestrian and bicycle access as well as bicycle parking, adequate parking, and emergency vehicle access.</p> <p>As discussed in Section 4.14, <i>Utilities and Service Systems</i>, the Project would have adequate utility services and facilities. Mitigation to require a Solid Waste Management Plan is proposed to reduce impacts from solid waste generation.</p>
<p><b>LU 1.13: Adequate Infrastructure and Services.</b> For health, safety, and general welfare reasons, approvals of new development shall be subject to a finding that adequate infrastructure and services will be available to serve the proposed development in accordance with the Public Facilities and Transportation Elements.</p>	<p><b>Consistent.</b> As discussed in Section 4.14, <i>Utilities and Service Systems</i>, the Project would have adequate on-site utility infrastructure and public water and sewer services are available. The Project includes the development of all necessary infrastructure to serve the Project.</p>
<p><b>LU 2.2: Residential Use Densities.</b> All proposed residential projects shall be consistent with the recommended standards for density and building intensity set forth in this plan. The recommended densities described in the policies for the residential use categories and in Table 2-1 are maximum permitted densities but are not guaranteed. Density of development allowed on any site shall reflect site constraints, including:</p> <ol style="list-style-type: none"> <li>Environmentally sensitive habitat areas (ESHA).</li> <li>Areas prone to flooding and geologic, slope instability, or other natural hazards.</li> <li>Areas with stormwater drainage problems.</li> <li>Presence of other significant hazards or hazardous materials.</li> <li>Protection of significant public and private views.</li> <li>Exposure to exterior noise levels that exceed a Community Noise Exposure Level (CNEL) of 60 dBA</li> </ol>	<p><b>Consistent with Mitigation.</b> The Project meets the General Plan and zoning designations for medium density residential development with a density of 23.63 units per acre. The Project has been designed to primarily avoid disturbance of the on-site archeological resource by adding protective fill soil to cover the site and avoid grading at the site. In addition, implementation of required mitigation measures would reduce potential archaeological resource impacts to below a level of significance. See Section 4.4, <i>Cultural Resources</i>, for further discussion. Therefore, the Project would be consistent with the required density of 20-25 units/acre, for an AHO site pursuant to the Housing Element of the General Plan.</p> <p>The biological assessment prepared for the Project found no ESHA on site. The General Plan maps that show ESHA on this property will be amended to remove the designation. Density is not affected by ESHA.</p>



**Table 4.9-1  
 Consistency with Policies in the Goleta General Plan**

Policy	Discussion
<p>(see related NE 1.2).</p> <p>g. Areas with archaeological or cultural resources.</p> <p>h. Deficiencies in the type or level of services necessary for urban development, such as transportation facilities (roadway and pedestrian), sewer and water service, and emergency service response time.</p>	<p>The Project would be subject to noise from U.S. 101 and the UPRR. Noise levels would potentially exceed City standards; required outdoor mitigation (installation of sound attenuation barriers along the perimeter of outdoor living spaces) and indoor mitigation, would reduce noise impacts to a less than significant level. See Section 4.10, <i>Noise</i>, for further discussion.</p>
<p><b>LU 2.3: Residential Development Standards.</b> The following standards or criteria shall be applicable to residential development proposals:</p> <p>a. The privacy of existing residential uses in the immediate area shall be protected in the design of new or expanded structures.</p> <p>b. Solar access of residential uses shall be protected in the design of new or expanded structures.</p> <p>c. Proposals for construction of new or expanded homes shall be required to have a size, bulk, scale, and height that are compatible with the character of the immediate existing neighborhood.</p>	<p><b>Consistent.</b> As discussed under consistency with Policy LU 1.8, the Project would be compatible with the character of the existing development in the immediate area, including the bulk, scale, and height. Additionally, the Project would not block solar access to neighboring units.</p>
<p><b>LU 2.6: Medium-Density Residential (R-MD).</b> This use category permits multifamily housing and accessory uses customarily associated with residences. Development may also include attached and detached single-family dwellings and duplex structures. Medium-density areas may also function as a transition between business uses and single-family residential neighborhoods. This designation is intended to provide for development of residential units at densities of up to 20.0 units per acre. In order to achieve efficient use of a limited supply of land designated in this use category, the minimum density permitted shall be 15.0 units per acre, except where site-specific constraints are determined to limit development to fewer units. Central Hollister Housing Opportunity Sites as identified in Housing Element Subpolicy HE 11.6 shall provide for development of residential units at densities ranging from a minimum of 20 to a maximum of 25 units per acre in support of the achievement of affordable housing goals. Assuming an average household size of 2.0 to 3.0 persons, the range of population densities allowed in this use category is between 26.0 persons per acre and 60.0 persons per acre. (See related Policy LU 8 and Subpolicy HE 11.6).</p>	<p><b>Consistent.</b> The Project site is designated as Medium-Density Residential by the General Plan. On August 18, 2009, the City Council adopted Resolution No. 09-44 (Housing Element Amendments), which increased the density for the Medium Density Residential (R-MD) Central Hollister Affordable Housing Opportunity Sites. The minimum density was increased to 20 units per acre (except where there are site constraints) and the maximum density was increased to 25 units per acres, to ensure the most efficient use of the property. As noted in the Project description, the Project’s density is 23.63 units per acre (net developable). Therefore, the Project density is consistent with the above policies.</p> <p>Based on an average household size of 2.72 persons for market-rate housing (228 units proposed), 2.58 persons for family affordable housing (63 units proposed) and 1.36 persons for senior affordable housing (41 units proposed), the Project’s estimated population would be approximately 839 persons (Department of Finance, 2020; Towbes, 2020; HACSB, 2020). The expected population density of the Project would be 48.3 persons per acre which is within the range of Policy LU 2.6.</p>
<p><b>Policy LU 8: Central Hollister Residential Development Area Objective:</b> To promote coordinated planning and development of designated medium-density residential sites in the Central Hollister area in order to create a quality, livable environment with appropriate design and amenities for future residents of this new residential neighborhood.</p> <p><b>LU 8.2: Purpose.</b> The intent for this area is to enable new residential development on scale commercial uses that will serve the needs of existing employees and future residents in the immediate area. The nonresidential development</p>	<p><b>Consistent.</b> The Central Hollister Residential Development Area promotes coordinated planning and development of residential sites. The Project is a multi-family residential development with 332 units on infill land. The Project residents would have close and easy access to Hollister Avenue, South Los Carneros Road, U.S. 101, public transportation, jobs, and shopping. The Project would create a quality, livable environment with appropriate design and amenities for future residents on the site, which meets a goal of the Central Hollister Development Area. On-site amenities would provide residents with passive and active recreation opportunities including an activity trail, fitness stations, tot</p>



**Table 4.9-1  
Consistency with Policies in the Goleta General Plan**

Policy	Discussion
<p>should be clustered at a single site or a small number of individual sites west of Los Carneros Way. A related intent is to enable transit-oriented development along the city's primary transportation corridor so as to efficiently utilize existing infrastructure, reduce future increases in automobile travel, and support use of alternative, less polluting modes of travel.</p>	<p>lot, benches, barbecue area, picnic tables bicycle parking, level turf play area, and native landscaping. In addition, the Project includes a wide variety of residential unit types, sizes, configurations, and bedroom count, which maximizes the potential for affordability and the ability to appeal to a wider market.</p>
<p><b>LU 8.5: Coordinated Development Plan and Quality Design.</b> In considering proposed projects within the Central Hollister Residential Development Area, emphasis shall be given to coordinated planning and design for the mixed-use area as a whole, including the parcels designated for Business Park uses. This may be accomplished by amendment of the Raytheon Specific Plan for lands within its boundaries and by preparation of a second Specific Plan encompassing lands within the North Willow Springs area. The provisions of the specific plans shall:</p> <ol style="list-style-type: none"> <li>a. Ensure that the various uses are blended in a manner so that each use is compatible with the others on an individual site, as well as uses on adjacent sites.</li> <li>b. Ensure that any future residential development will not threaten the continued viability of the existing Business Park uses.</li> <li>c. Require that design and location of internal roadways and circulation be integrated with external circulation in a manner that improves overall safety and traffic flow.</li> <li>d. Provide for appropriate internal street, bicycle, and pedestrian circulation systems.</li> <li>e. Provide an adequate supply of parking within each development, with consideration of shared (or joint) parking between uses where peak parking demand is in the daytime and uses where peak demand is typically in the evening hours.</li> <li>f. Require that any future housing development create a living environment that is attractive, with high-quality architectural and landscape design.</li> <li>g. Provide for a mix of unit sizes (number of bedrooms) in residential projects.</li> <li>h. Ensure that future development will include ample open space, recreational facilities, and other amenities for employees and residents of the new housing.</li> </ol>	<p><b>Consistent.</b> The Project site is not encompassed within a Specific Plan. Compatibility issues are discussed throughout this section. The Project would be located adjacent to existing residential development with similar size, bulk, scale, and height. The Project would be located in the vicinity of existing Business Parks and industrial uses, and would not affect the viability of those uses. The Project provides for a mix of unit sizes, and is integrated with the existing circulation system.</p> <p>The Project would provide adequate site access and circulation for vehicles, bicycles, and pedestrians and would not cause any conflicts with traffic flow. Further, the Project would provide adequate parking pursuant to the State Density Bonus Law.</p> <p>As discussed in Section 4.1, <i>Aesthetics</i>, the visual character of proposed buildings and landscaping would be compatible with that of adjacent multi-family residential development. The proposed landscape design is intended to blend with the existing Willow Springs Apartments by using a similar plant palette and two-rail fence along Camino Vista. <del>Additionally, Mitigation measures AES 4(a) and AES 4(b) would be required to reduce potentially significant impacts from the Project's massing and architectural style and to ensure that building heights remain consistent with adjacent development.</del> The size, bulk, scale, and height of the Project would fit with the surrounding development, most notably the adjacent Willow Springs Phases I and II residential developments.</p> <p>The Project provides a mix of unit sizes. It would provide a mixture of senior- and family-affordable and market-rate housing through studios, and one-, two-, and three-bedroom units with a total of 332 units. The Project includes a preliminary landscaping plan, and the massing and architectural style of the proposed apartment buildings would be compatible with surrounding development. The Project also includes on-site amenities would provide residents with passive and active recreation opportunities including an activity trail, fitness stations, tot lot, benches, barbecue area, picnic tables, 120 bicycle parking spaces throughout the property, level turf play area, and native landscaping. These facilities would be available to Project residents.</p>



**Table 4.9-1  
 Consistency with Policies in the Goleta General Plan**

Policy	Discussion
<p><b>LU 8.6: Performance Standards.</b> Performance standards applicable to development within this area shall ensure that:</p> <ul style="list-style-type: none"> <li>a. The scale and design of uses are compatible with each other and reinforce the character and functions of other uses in the area and surrounding areas.</li> <li>b. The timing of new development will ensure a balance of housing and commercial uses.</li> <li>c. Lighting, noise, odors, and air pollutant emissions from commercial and Business Park uses will not interfere or conflict with residential uses.</li> <li>d. Signage will be controlled and limited to maintain an attractive living environment.</li> <li>e. Curb cuts for driveway access to individual properties will be minimized and sharing of access encouraged.</li> <li>f. Efficient and attractive pedestrian and bicycle connectivity will be provided between uses.</li> <li>g. Pedestrian-oriented outdoor spaces will be provided at strategic locations in the development.</li> <li>h. Adequate and safe motorized and nonmotorized access to each site is provided.</li> </ul>	<p><b>Consistent.</b> As discussed in LU 1.8, the Project would not conflict with the character of existing development in the neighborhood, including size, bulk, scale, and height. <del>Mitigation measures AES-4(a) and AES-4(b) would be required to reduce potentially significant impacts from the Project's massing and architectural style and to ensure that building heights remain consistent with adjacent development.</del> The Project has been designed with features that enable a choice of various alternative modes of travel, such as transit, biking, and walking. Internal pedestrian walkways and bicycle access is provided within the site and to other developments. Collectively, these features facilitate alternative modes of transportation to jobs, shopping, and other activity centers as well as for recreation.</p>
<b>OPEN SPACE ELEMENT</b>	
<p><b>OS 7.2: Open Space for Preservation of Natural Resources.</b> Figure 3.5 designates all ESHAs as protected open space.</p>	<p><b>Consistent.</b> A biological survey was commissioned for the site which was verified through peer review by Rincon. The biological survey documented that ESHA habitat is not present within the Project boundary. As ESHA habitat is not present on the site, the Project would be consistent with Policy OS 7.2. However, the existing Open Space Element Figure 3-5 and Conservation Element Figure 4-1 incorrectly identify ESHA habitat on the site. Therefore, the Project includes an amendment to the General Plan to revise Figure 3-5 of the Open Space Element and Figure 4-1 of the Conservation Element to remove an ESHA designation of Coastal Sage Scrub that does not occur on the Project site. If the proposed General Plan Amendment is not approved, then the Project would be inconsistent with Figures 3-5 and 4-1 because of errors on the General Plan figures, but would not be inconsistent with Policy OS 7.2.</p>
<p><b>OS 7.8: Provision of Open Space in New Development.</b> A minimum open space area shall be required in new development situated in certain land use categories, as set forth in the applicable policies of the Land Use Element. These private open space areas shall be in addition to any public park and open space land that may be required to be dedicated pursuant to the Quimby Act or other state or local statutes.</p> <p>Although private open space areas may be reserved to protect resources or avoid development in areas subject to hazards, such reservations shall include lands usable for outdoor recreation activities, where feasible.</p>	<p><b>Consistent.</b> Based on the authority vested in the City by the Quimby Act, Chapter 16.14 of the Goleta Municipal Code requires new development and subdivisions within the City to mitigate their park and recreation facility impacts by constructing, or financing the construction of, the park and recreation facilities needed to serve their projects. Section 16.14.010 of the Goleta Municipal Code requires dedication of 0.0128 acres of property per dwelling unit to neighborhood and community park and recreational purposes, exclusive of and in addition to school lands used cooperatively for recreational purposes. In lieu of dedicating parkland, a developer may pay a fee for the purpose of developing new or rehabilitating existing park or recreation facilities.</p> <p>The Project includes a two-acre public park that would be</p>



**Table 4.9-1  
Consistency with Policies in the Goleta General Plan**

Policy	Discussion
	<p>developed onsite and would include an activity trail, fitness stations, tot lot, benches, barbecue area, picnic tables bicycle parking, level turf play area, and native landscaping. This park would not create any significant environmental impacts and would partially offset impacts of the population increase generated from the Project. Additionally, the applicant would be required to pay in-lieu parks and recreation fees upon the approval of the final subdivision map and development project and prior to the issuance of land use permits, which would be used to fund public park and recreational facilities. With development of the two-acre park onsite and payment of these fees, the Project would comply with City requirements related to provision of park facilities.</p> <p>In addition, the Project exceeds the minimum R-MD open space and landscaped area of 40% by providing <del>40.4</del> <u>44.3%</u> of <u>common open space</u> (excluding the park).</p>
<p><b>OS 8.3: Preservation.</b> The City shall protect and preserve cultural resources from destruction. The preferred method for preserving a recorded archeological site shall be by preservation in place to maintain the relationship between the artifacts and the archaeological context. Preservation in place may be accomplished by deed restriction as a permanent conservation easement, avoidance through site planning and design, or incorporation of sites into other open spaces to prevent any future development or use that might otherwise adversely impact these resources.</p>	<p><b>Consistent with Mitigation.</b> As discussed in Section 4.4, <i>Cultural Resources</i>, there is a previously recorded intact archaeological resource on the Project site. This resource is proposed to be preserved in place through a Phase 3 Data Recovery Program and design of the Project to avoid disturbance of any intact deposits by adding a minimum of two feet of protective fill soil over the deposits and avoiding grading the area. Mitigation Measures CR-1(a) through (f) would ensure that cultural resources are protected.</p>
<p><b>OS 8.4: Evaluation of Significance.</b> For any development proposal identified as being located in an area of archaeological sensitivity, a Phase I cultural resources inventory shall be conducted by a professional archaeologist or other qualified expert. All sites determined through a Phase 1 investigation to potentially include cultural resources must undergo subsurface investigation to determine the extent, integrity, and significance of the site. Where Native American artifacts have been found or where oral traditions indicate the site was used by Native Americans in the past, research shall be conducted to determine the extent of the archaeological significance of the site.</p>	<p><b>Consistent with Mitigation.</b> An Archaeological Resources Assessment was prepared for the Project site by Dudek in 2014. This report considers a series of previous cultural resources investigations conducted for the Project site and adjacent properties: an original excavation in 1929, subsequent excavations in 1982, an intensive ground surface collection of artifacts in 1990, Extended Phase 1 excavations in 1996, a Supplemental Phase 2 investigation in 1999, and a Phase 3 Data Recovery Mitigation program in 2014. This report was peer reviewed by Rincon Consultants, Inc. in 2015 as part of this EIR. The reports found a potentially significant impact with respect to archaeological resources and suggest mitigation to reduce impacts. Refer to Section 4.4, <i>Cultural Resources</i>.</p>
<p><b>OS 8.5: Mitigation.</b> If research and surface reconnaissance shows that the project area contains a resource of cultural significance that would be adversely impacted by proposed development and avoidance is infeasible, mitigation measures sensitive to the cultural beliefs of the affected population shall be required. Reasonable efforts to leave these resources in an undisturbed state through capping or covering resources with a soil layer prior to development shall be required. If data recovery through excavation is the only feasible mitigation, the City shall confer with the affected Native American nation or most-likely descendants, as well as agencies charged with the responsibility of preserving these resources and</p>	<p><b>Consistent with Mitigation.</b> See discussion of OS 8.3 and 8.4.</p>



**Table 4.9-1  
Consistency with Policies in the Goleta General Plan**

Policy	Discussion
<p>organizations having a professional or cultural interest, prior to the removal and disposition of any artifacts.</p>	
<p><b>OS 8.6: Monitoring and Discovery.</b> Onsite monitoring by a qualified archaeologist and appropriate Native American observer shall be required for all grading, excavation, and site preparation that involves earth moving operations on sites identified as archaeologically sensitive. If cultural resources of potential importance are uncovered during construction, the following shall occur:</p> <ol style="list-style-type: none"> <li>a. The grading or excavation shall cease and the City shall be notified.</li> <li>b. A qualified archeologist shall prepare a report assessing the significance of the find and provide recommendations regarding appropriate disposition.</li> </ol> <p>Disposition will be determined by the City in conjunction with the affected Native American nation.</p>	<p><b>Consistent.</b> See discussion of OS 8.3.</p>
<p><b>OS 8.7: Protection of Paleontological Resources.</b> Should substantial paleontological resources be encountered during construction activities, all work that could further disturb the find shall be stopped and the City of Goleta shall be notified within 24 hours. The applicant shall retain a qualified consultant to prepare a report to the City that evaluates the significance of the find and, if warranted, identifies recovery measures. Upon review and approval of the report by the City, construction may continue after implementation of any identified recovery measures.</p>	<p><b>Consistent.</b> There is no evidence of paleontological resources on-site. Per the requirements of this policy, all work would stop in the event that unforeseen resources are encountered during site grading.</p>
<p><b>OS 9.2: Mitigation of Impacts of New Development on Parks and Recreation Facilities.</b> The following shall apply to approvals of new development projects:</p> <ol style="list-style-type: none"> <li>a. To ensure new development pays a proportionate share of the cost of acquisition and improvement of parks, recreation facilities, and open space, the City shall require a one-time impact fee to offset costs necessary to accommodate the development. These fees shall be used for acquiring and/or developing new or improving/rehabilitating existing park, recreation, or open space facilities.</li> <li>b. At its discretion, the City may allow any appropriate park and recreational facilities provided within a development to meet all or part of the mitigation requirement in lieu of payment of a portion of the impact fee only if they are open and accessible to the public.</li> <li>c. Within new subdivisions, where the City may allow dedications of land in lieu of payment of fees pursuant to California Government Code Section 66477 (Quimby Act), the land area to be dedicated shall be usable space for active recreation purposes.</li> </ol>	<p><b>Consistent.</b> The Project includes more open space than the minimum open space and landscaped area requirement of 40%. The City's General Plan Open Space Element Figure 3-2 indicates the location of existing and planned public parks, including a two-acre park (denoted as planned future park site "C") proposed for the Project. The applicant would also be required to pay park and recreation development impact fees as appropriate to the City that will be used for the acquisition and improvement of public parks, recreation facilities, and open space.</p>





**Table 4.9-1  
 Consistency with Policies in the Goleta General Plan**

Policy	Discussion
<b>CONSERVATION ELEMENT</b>	
<p><b>CE 1.1 Definition of Environmentally Sensitive Habitat Areas. [GP/CP]</b> ESHAs shall include, but are not limited to, any areas that through professional biological evaluation are determined to meet the following criteria:</p> <ul style="list-style-type: none"> <li>a. Any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and that could be easily disturbed or degraded by human activities and developments.</li> <li>b. Any area that includes habitat for species and plant communities recognized as threatened or endangered by the state or federal governments; plant communities recognized by the State of California (in the Terrestrial Natural Communities Inventory) as restricted in distribution and very threatened; and those habitat types of limited distribution recognized to be of particular habitat value, including wetlands, riparian vegetation, eucalyptus groves associated with monarch butterfly roosts, oak woodlands, and savannas.</li> <li>c. Any area that has been previously designated as an ESHA by the California Coastal Commission, the California Department of Fish and Game, City of Goleta, or other agency with jurisdiction over the designated area</li> </ul>	<p><b>Consistent.</b> The application includes a General Plan Amendment for the removal of 2.9 acres of coyote brush scrub that does not qualify as Coastal Sage Scrub ESHA mapped on Figure 4.1; refer discussion under OS 7.2 and to Section 4.3, Biological Resources, for details.</p>
<p><b>CE 1.2: Designation of Environmentally Sensitive Habitat Areas.</b> ESHAs are shown in Figure 4-1.</p>	<p><b>Consistent.</b> See discussion under OS 7.2.</p>
<p><b>CE 1.5: Corrections to Map of ESHAs.</b> If a site-specific biological study contains substantial evidence that an area previously shown as an ESHA on Figure 4-1 does not contain habitat that meets the definition of an ESHA for reasons other than that set forth in CE 1.4, the City biologist and the Planning Commission shall review all available information and determine if the area in question should no longer be considered an ESHA and therefore not be subject to the ESHA protection policies of this plan. If the final decision-making body determines that the area is not an ESHA, a map modification shall be included in the next General Plan/Coastal Land Use Plan amendment; however, Local Coastal Program policies and standards for protection of ESHAs shall not apply, and approval of development consistent with all other requirements of this plan may be considered prior to the map revision.</p>	<p><b>Consistent.</b> Site-specific biological analysis indicates that the Project would not result in an impact to ESHAs. Although the Project site contains a City of Goleta mapped Coastal Sage Scrub ESHA, the habitat is not present within the Project site boundary or immediately adjacent areas. Project site habitat includes 8.80 acres of total non-native grassland (4.74 acres of Bromus grassland, <u>4.06 acres of upland mustards</u>) and <u>7.99 acres of ruderal scrub</u> (4.17 acres of quailbrush scrub, 3.29 acres of coyote brush scrub) and <del>4.06 acres of upland mustards</del> that likely provide limited low-quality foraging habitat for raptors. <del>Additionally, there is 8.80 acres of non-native grassland.</del> None of these habitats qualify as ESHA.</p>
<p><b>CE 1.6: Protection of ESHAs.</b> ESHAs shall be protected against significant disruption of habitat values, and only uses or development dependent on and compatible with maintaining such resources shall be allowed within ESHAs or their buffers. The following shall apply:</p> <ul style="list-style-type: none"> <li>d. No development, except as otherwise allowed by this element, shall be allowed within ESHAs and/or ESHA buffers.</li> <li>e. A setback or buffer separating all permitted</li> </ul>	<p><b>Consistent.</b> Site-specific biological analysis indicates that the Project would not result in an impact to ESHAs. Although the Project site contains a City of Goleta mapped ESHA, the habitat is no longer present within the Project boundary or immediately adjacent areas.</p>



**Table 4.9-1  
 Consistency with Policies in the Goleta General Plan**

Policy	Discussion
<p>development from an adjacent ESHA shall be required and shall have a minimum width as set forth in subsequent policies of this element. The purpose of such setbacks shall be to prevent any degradation of the ecological functions provided by the habitat area.</p> <p>f. Public accessways and trails are considered resource-dependent uses and may be located within or adjacent to ESHAs. These uses shall be sited to avoid or minimize impacts on the resource to the maximum extent feasible. Measures—such as signage, placement of boardwalks, and limited fencing or other barriers—shall be implemented as necessary to protect ESHAs.</p> <p>g. The following uses and development may be allowed in ESHAs or ESHA buffers only where there are no feasible, less environmentally damaging alternatives and will be subject to requirements for mitigation measures to avoid or lessen impacts to the maximum extent feasible: 1) public road crossings, 2) utility lines, 3) resource restoration and enhancement projects, 4) nature education, 5) biological research, and 6) Public Works projects as identified in the Capital Improvement Plan, only where there are no feasible, less environmentally damaging alternatives.</p> <p>h. If the provisions herein would result in any legal parcel created prior to the date of this plan being made unusable in its entirety for any purpose allowed by the land use plan, exceptions to the foregoing may be made to allow a reasonable economic use of the parcel. Alternatively, the City may establish a program to allow transfer of development rights for such parcels to receiving parcels that have areas suitable for and are designated on the Land Use Plan map for the appropriate type of use and development.</p>	
<p><b>CE 1.7: Mitigation of Impacts to EHSAs. New development shall be sited and designed to avoid impacts to ESHAs.</b> If there is no feasible alternative that can eliminate all impacts, then the alternative that would result in the fewest or least significant impacts shall be selected. Any impacts that cannot be avoided shall be fully mitigated, with priority given to onsite mitigation. Offsite mitigation measures shall only be approved when it is not feasible to fully mitigate impacts on site. If impacts to onsite ESHAs occur in the Coastal Zone, any offsite mitigation area shall also be located within the Coastal Zone. All mitigation sites shall be monitored for a minimum period of 5 years following completion, with changes made as necessary based on annual monitoring reports. Where appropriate, mitigation sites shall be subject to deed restrictions. Mitigation sites shall be subject to the protections set forth in this plan for the habitat type unless the City has made a specific determination that the mitigation is unsuccessful and is to be discontinued.</p>	<p><b>Consistent.</b> See discussion under policy CE 1.6.</p>



**Table 4.9-1  
Consistency with Policies in the Goleta General Plan**

Policy	Discussion
<p><b>CE 1.9: Standards Applicable to Development Projects.</b> The following standards shall apply to consideration of developments within or adjacent to ESHAs:</p> <ul style="list-style-type: none"> <li>a. Site designs shall preserve wildlife corridors or habitat networks. Corridors shall be of sufficient width to protect habitat and dispersal zones for small mammals, amphibians, reptiles, and birds.</li> <li>b. Land divisions for parcels within or adjacent to an ESHA shall only be allowed if each new lot being created, except for open space lots, is capable of being developed without building in any ESHA or ESHA buffer and without any need for impacts to ESHAs related to fuel modification for fire safety purposes.</li> <li>c. Site plans and landscaping shall be designed to protect ESHAs. Landscaping, screening, or vegetated buffers shall retain, salvage, and/or reestablish vegetation that supports wildlife habitat whenever feasible. Development within or adjacent to wildlife habitat networks shall incorporate design techniques that protect, support, and enhance wildlife habitat values. Planting of nonnative, invasive species shall not be allowed in ESHAs and buffer areas adjacent to ESHAs.</li> <li>d. All new development shall be sited and designed so as to minimize grading, alteration of natural landforms and physical features, and vegetation clearance in order to reduce or avoid soil erosion, creek siltation, increased runoff, and reduced infiltration of stormwater and to prevent net increases in baseline flows for any receiving water body.</li> <li>e. Light and glare from new development shall be controlled and directed away from wildlife habitats. Exterior night lighting shall be minimized, restricted to low intensity fixtures, shielded, and directed away from ESHAs.</li> <li>f. All new development should minimize potentially significant noise impacts on special-status species in adjacent ESHAs.</li> <li>g. All new development shall be sited and designed to minimize the need for fuel modification, or weed abatement, for fire safety in order to preserve native and/or nonnative supporting habitats. Development shall use fire-resistant materials and incorporate alternative measures, such as firewalls and landscaping techniques, that will reduce or avoid fuel modification activities.</li> <li>h. The timing of grading and construction activities shall be controlled to minimize potential disruption of wildlife during critical time periods such as nesting or breeding seasons.</li> <li>i. Grading, earthmoving, and vegetation clearance adjacent to an ESHA shall be prohibited during the rainy season, generally from November 1 to March 31, except as follows: 1) where erosion control measures such as sediment basins, silt fencing, sandbagging, or</li> </ul>	<p><b>Consistent.</b> See discussion under policy CE 1.6.</p>



**Table 4.9-1  
Consistency with Policies in the Goleta General Plan**

Policy	Discussion
<p>installation of geofabrics have been incorporated into the project and approved in advance by the City; 2) where necessary to protect or enhance the ESHA itself; or 3) where necessary to remediate hazardous flooding or geologic conditions that endanger public health and safety.</p> <p>j. In areas that are not adjacent to ESHAs, where grading may be allowed during the rainy season, erosion control measures such as sediment basins, silt fencing, sandbagging, and installation of geofabrics shall be implemented prior to and concurrent with all grading operations.</p>	
<p><b><u>CE 2.2: Streamside Protection Areas. [GP/CP]</u></b> A streamside protection area (SPA) is hereby established along both sides of the creeks identified in Figure 4-1. The purpose of the designation shall be to preserve the SPA in a natural state in order to protect the associated riparian habitats and ecosystems. The SPA shall include the creek channel, wetlands and/or riparian vegetation related to the creek hydrology, and an adjacent upland buffer area. The width of the SPA upland buffer shall be as follows:</p> <p>a. <u>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.</u></p> <p>b. <u>If the provisions above would result in any legal parcel created prior to the date of this plan being made unusable in its entirety for any purpose allowed by the landuse plan, exceptions to the foregoing may be made to allow a reasonable economic use of the parcel, subject to approval of a conditional use permit.</u></p>	<p><b>Consistent.</b> The riparian habitat associated with the Los Carneros Creek adjacent the northeast property line is mapped as a Stream Protection Area (SPA) ESHA, thereby warranting a 100-foot buffer under CE Policy CE 2.2. As discussed in Section 4.3, Biological Resources, the project would meet the 100-foot buffer requirement.</p>
<p><b>CE 3.3: Site-Specific Wetland Delineations.</b> In considering development proposals where an initial site inventory or reconnaissance indicates the presence or potential for wetland species or indicators, the City shall require the submittal of a detailed biological study of the site, with the addition of a delineation of all wetland areas on the project site. Wetland delineations shall be based on the definitions contained in Section 13577(b) of Title 14 of the California Code of Regulations. A preponderance of hydric soils or a preponderance of wetland indicator species will be considered presumptive evidence of wetland conditions. At a minimum, the delineation report shall contain:</p>	<p><b>Consistent.</b> As discussed in Section 4.3, <i>Biological Resources</i>, no wetlands are located on site. Rincon Consultants completed a biological evaluation in 2015 and no wetlands were identified on the site.</p>



**Table 4.9-1  
Consistency with Policies in the Goleta General Plan**

Policy	Discussion
<p>a. A map at a scale of 1":200' or larger showing topographic contours.</p> <p>b. An aerial photo base map.</p> <p>c. A map at a scale of 1":200' or larger with polygons delineating all wetland areas, polygons delineating all areas of vegetation with a preponderance of wetland indicator species, and the locations of sampling points.</p> <p>d. A description of the survey methods and surface indicators used for delineating the wetland polygons.</p> <p>e. A statement of the qualifications of the person preparing the wetland delineation.</p>	
<p><b><u>CE 3.4: Protection of Wetlands in the Coastal Zone. [CP]</u></b> <u>The biological productivity and the quality of wetlands shall be protected and, where feasible, restored in accordance with the federal and state regulations and policies that apply to wetlands within the Coastal Zone. Only uses permitted by the regulating agencies shall be allowed within wetlands. The filling, diking, or dredging of open coastal waters, wetlands, estuaries, and lakes is prohibited unless it can be demonstrated that: a. There is no feasible, environmentally less damaging alternative to wetland fill. b. The extent of the fill is the least amount necessary to allow development of the permitted use. c. Mitigation measures have been provided to minimize adverse environmental effects. d. The purposes of the fill are limited to: incidental public services, such as burying cables or pipes; restoration of wetlands; and nature study, education, or similar resource-dependent activities. A wetland buffer of a sufficient size to ensure the biological integrity and preservation of the wetland shall be required. Generally the required buffer shall be 100 feet, but in no case shall wetland buffers be less than 50 feet. The buffer size should take into consideration the type and size of the development, the sensitivity of the wetland resources to detrimental edge effects of the development to the resources, natural features such as topography, the functions and values of the wetland, and the need for upland transitional habitat. A 100-foot minimum buffer area shall not be reduced when it serves the functions and values of slowing and absorbing flood waters for flood and erosion control, sediment filtration, water purification, and ground water recharge. The buffer area shall serve as transitional habitat with native vegetation and shall provide physical barriers to human intrusion</u></p>	<p><b><u>Consistent.</u></b> <u>Policy CE 1.4 requires a buffer of 100 feet from any wetland in the coastal zone. The Los Carneros Wetland is directly north of the coastal zone; a 100-foot buffer is not required by the General Plan and CE 3.4 is included for reference only.</u></p>
<p><b><u>CE 3.5: Protection of Wetlands Outside the Coastal Zone. [GP]</u></b> <u>The biological productivity and the quality of inland wetlands shall be protected and, where feasible, restored. The filling of wetlands outside the Coastal Zone is prohibited unless it can be demonstrated that:</u></p> <p>a. <u>The wetland area is small, isolated, not part of a larger hydrologic system, and generally lacks productive or functional habitat value.</u></p> <p>b. <u>The extent of the fill is the least amount necessary to allow reasonable development of a use allowed by the</u></p>	<p><b><u>Consistent.</u></b> <u>The edge of the Project site is approximately 80 feet northwest of the beginning of the Los Carneros wetland, and is separated by existing Camino Vista Road.</u></p>



**Table 4.9-1  
 Consistency with Policies in the Goleta General Plan**

Policy	Discussion
<p><u>Land Use Element.</u></p> <p>c. <u>Mitigation measures will be provided to minimize adverse environmental effects, including restoration or enhancement of habitat values of wetlands at another location on the site or at another appropriate offsite location within the City. A wetland buffer of a sufficient size to ensure the biological integrity and preservation of the wetland shall be required.</u></p> <p><u>A wetland buffer shall be no less than 50 feet. The buffer size should take into consideration the type and size of the development, the sensitivity of the wetland resources to detrimental edge effects of the development to the resources, natural features such as topography, the functions and values of the wetland and the need for upland transitional habitat. The buffer area shall serve as transitional habitat with native vegetation and shall provide physical barriers to human intrusion.</u></p>	
<p><b>CE 5.2: Protection of Native Grasslands.</b> In addition to the provisions of Policy CE 1, the following standards shall apply:</p> <p>a. For purposes of this policy, existing native grasslands are defined as an area where native grassland species comprise 10 percent or more of the total relative plant cover. Native grasslands that are dominated by perennial bunch grasses tend to be patchy. Where a high density of separate small patches occurs in an area, the whole area shall be delineated as native grasslands.</p> <p>b. To the maximum extent feasible, development shall avoid impacts to native grasslands that would destroy, isolate, interrupt, or cause a break in continuous habitat that would (1) disrupt associated animal movement patterns and seed dispersal, or (2) increase vulnerability to weed invasions.</p> <p>c. Removal or disturbance to a patch of native grasses less than 0.25 acre that is clearly isolated and is not part of a significant native grassland or an integral component of a larger ecosystem may be allowed. Removal or disturbance to restoration areas shall not be allowed.</p> <p>d. Impacts to protected native grasslands shall be minimized by providing at least a 10-foot buffer that is restored with native species around the perimeter of the delineated native grassland area.</p> <p>e. Removal of nonnative and invasive exotic species shall be allowed; revegetation shall be with plants or seeds collected within the same watershed whenever feasible.</p>	<p><b>Consistent.</b> Vegetation at the Project site consists of coyote brush scrub or ruderal/disturbed areas that consist overwhelmingly of non-native grasses and forbs. Evidence demonstrating that the coyote brush scrub at the site does not meet the definition of an ESHA is provided above under Section 4.3.1.b. The purple needle grass observed within the upland mustard area on-site does not constitute sensitive native grassland pursuant to the City’s General Plan and Environmental Review Guidelines and Environmental Thresholds Manual, since it was required to be planted for erosion control following approved 2013 grading. No plant communities within the Project site are considered sensitive. The Project would not affect native grasses.</p>
<p><b>CE 5.3: Protection of Coastal Bluff Scrub, Coastal Sage Scrub, and Chaparral ESHA. [GP/CP]</b> In addition to the provisions of Policy CE 1, the following standards shall apply:</p> <p>a. For purposes of this policy, coastal bluff scrub is defined as scrub habitat occurring on exposed</p>	<p><b>Consistent.</b> The habitat on-site does not meet the definition of coastal sage scrub habitat as defined in the <u>General Plan CE Policy 5.3</u> and would therefore not conflict with this policy. <u>The General Plan CE Policy 5.3 defines coastal sage scrub habitat as a drought-tolerant, Mediterranean habitat characterized by soft-leaved, shallow-rooted subshrubs such</u></p>



**Table 4.9-1  
 Consistency with Policies in the Goleta General Plan**

Policy	Discussion
<p>coastal bluffs. Example species in bluff scrub habitat include Brewer’s saltbush (<i>Atriplex lentiformis</i>), lemonade berry (<i>Rhus integrifolia</i>), seashore blight (<i>Suaeda californica</i>), seacliff buckwheat (<i>Eriogonum parvifolium</i>), California sagebrush (<i>Artemisia californica</i>), and coyote brush [brush] (<i>Baccharis pilularis</i>). Coastal sage scrub is defined as a drought-tolerant, Mediterranean habitat characterized by soft-leaved, shallow-rooted subshrubs such as California sagebrush (<i>Artemisia californica</i>), coyote brush [brush] (<i>Baccharis pilularis</i>), and California encelia (<i>Encelia californica</i>). It is found at lower elevations in both coastal and interior areas where moist maritime air penetrates inland. Chaparral is defined as fire- and drought-adapted woody, evergreen shrubs generally occurring on hills and lower mountain slopes. The area must have both the compositional and structural characteristics of coastal bluff scrub, coastal sage scrub, or chaparral habitat as described in Preliminary Descriptions of Terrestrial Natural Communities of California (Holland 1986) or other classification system recognized by the California Department of Fish and Game.</p> <p>b. To the maximum extent feasible, development shall avoid impacts to coastal bluff scrub, coastal sage scrub, or chaparral habitat that is part of a wildlife movement corridor and the impact would preclude animal movement or isolate ESHAs previously connected by the corridor such as (1) disrupting associated bird and animal movement patterns and seed dispersal, and/or (2) increasing erosion and sedimentation impacts to nearby creeks or drainages.</p> <p>c. Impacts to coastal bluff scrub, coastal sage scrub, and chaparral ESHAs shall be minimized by providing at least a 25-foot buffer restored with native species around the perimeter of the ESHA, unless the activity is allowed under other CE subpolicies and mitigation is applied per CE 1.7. d. Removal of nonnative and invasive exotic species shall be allowed; revegetation shall be with plants or seeds collected within the same watershed whenever feasible.</p>	<p><u>as California sagebrush (<i>Artemisia californica</i>), coyote brush (<i>Baccharis pilularis</i>), California encelia (<i>Encelia californica</i>) Of these species only coyote brush was observed as dominant within the mapped on-site ESHA. The National Vegetation Classification Hierarchy as Applied to California Vegetation identifies coastal sage scrub as a macrogroup of multiple alliances, none of which includes coyote brush as the dominant alliance species. Under General Plan CE Policy 5.3 coastal sage scrub habitat must have both the compositional and structural characteristics of coastal sage scrub as described in a classification system recognized by the CDFW. However, no other characteristic coastal sage scrub species was observed as occurring even infrequently or sparsely (&lt; 8% cover) by Rincon or Dudek biologists.</u></p>
<p><b>CE 8.1: ESHA Designation.</b> Requisite habitats for individual occurrences of special-status plants and animals, including candidate species for listing under the state and federal endangered species acts, California species of special concern, California Native Plant Society List 1B plants, and other species protected under provisions of the California Fish and Game Code shall be preserved and protected, and their occurrences, including habitat requirements, shall be</p>	<p><b>Consistent with Mitigation.</b> Based on survey results (Rincon 2015), special status plant and wildlife species have a low potential to occur on-site and a low probability of being impacted by the Project. Mitigation would reduce potential impacts to nesting birds, wildlife movement and off-site sensitive communities. See discussion in Section 4.3, <i>Biological Resources</i>.</p>



**Table 4.9-1  
Consistency with Policies in the Goleta General Plan**

Policy	Discussion
<p>designated as ESHAs. These habitats include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>a. Special-status plant species such as Santa Barbara honeysuckle (<i>Lonicera subspicata</i> var. <i>subspicata</i>), southern tarplant (<i>Centromadia parryi</i> ssp. <i>australis</i>) and blackflowered figwort (<i>Scrophularia atrata</i>).</li> <li>b. Nesting and roosting areas for various species of raptors such as Cooper’s hawks (<i>Accipiter cooperii</i>), red-tailed hawks (<i>Buteo jamaicensis</i>), white-tailed kites (<i>Elanus leucurus</i>), and turkey vultures (<i>Cathartes aura</i>).</li> </ul>	
<p><b>CE 8.2: Protection of Habitat Areas.</b> All development shall be located, designed, constructed, and managed to avoid disturbance of, or adverse impacts to, special-status species and their habitats, including spawning, nesting, rearing, roosting, foraging, and other elements of the required habitats.</p>	<p><b>Consistent with Mitigation.</b> See discussion under policy CE 8.1.</p>
<p><b>CE 8.3: Site-Specific Biological Resources Study.</b> Any areas not designated on Figure 4-1 that meet the ESHA criteria for the resources specified in CE 8.1 shall be accorded the same protections as if the area were shown on the figure. Proposals for development on sites where ESHAs are shown on the figure, or where there is probable cause to believe that an ESHA may exist, shall be required to provide the City with a site-specific biological study that includes the following information:</p> <ul style="list-style-type: none"> <li>a. A base map that delineates topographic lines, parcel boundaries, and adjacent roads.</li> <li>b. A vegetation map that 1) identifies trees or other sites that are existing or historical nests for the species of concern and 2) delineates other elements of the habitat such as roosting sites and foraging areas.</li> <li>c. A detailed map that shows the conclusions regarding the boundary, precise location and extent, or current status of the ESHA based on substantial evidence provided in the biological studies.</li> <li>d. A written report that summarizes the survey methods, data, observations, findings, and recommendations.</li> </ul>	<p><b>Consistent.</b> Biological Resources Assessments were conducted for the Project site by Dudek in 2014 and Rincon Consultants, Inc. in 2015. No ESHAs were found on-site.</p>
<p><b>CE 8.4: Buffer Areas for Special-Status Species.</b> Development shall be designed to provide a 100-foot buffer around active and historical nest sites for protected species of raptors when feasible. In existing developed areas, the width of the buffer may be reduced to correspond to the actual width of the buffer for adjacent development. If the biological study described in Subpolicy CE 8.3 determines that an active raptor nest site exists on the subject property, whenever feasible no vegetation clearing, grading, construction, or other development activity shall be allowed within a 300-foot radius of the nest site during the nesting and fledging season.</p>	<p><b>Consistent.</b> See discussions under Policies CE 8.1, CE 8.2, and CE 8.3.</p>





**Table 4.9-1  
Consistency with Policies in the Goleta General Plan**

Policy	Discussion
<p><b>CE 9.1: Definition of Protected Trees.</b> New development shall be sited and designed to preserve the following species of native trees: oaks (<i>Quercus</i> spp.), walnut (<i>Juglans californica</i>), sycamore (<i>Platanus racemosa</i>), cottonwood (<i>Populus</i> spp.), willows (<i>Salix</i> spp.), or other native trees that are not otherwise protected in ESHAs, unless as otherwise allowed in CE 9.</p>	<p><b>Consistent.</b> <u>Three willow trees are present on site as discussed in Section 4.3, Biological Resources and would be replaced at a ratio of 10:1 as required by the Project-specific Conditions of Approval.</u> <del>No trees are present on the site.</del></p>
<p><b>CE 9.2: Tree Protection Plan.</b> Applications for new development on sites containing protected native trees shall include a report by a certified arborist or other qualified expert. The report shall include an inventory of native trees and a Tree Protection Plan.</p>	<p><b>Consistent.</b> <del>No trees are present on the site. No Tree Protection Plan would be required.</del> <u>Three willow trees are present on site as discussed in Section 4.3, Biological Resources and would be replaced at a ratio of 10:1 as required by the Project-specific Conditions of Approval</u></p>
<p><b>h: Tree Protection Standards.</b> The following impacts to native trees and woodlands should be avoided in the design of projects: 1) removal of native trees; 2) fragmentation of habitat; 3) removal of understory; 4) disruption of the canopy, and 5) alteration of drainage patterns. Structures, including roads and driveways, should be sited to prevent any encroachment into the protection zone of any protected tree and to provide an adequate buffer outside of the protection zone of individual native trees in order to allow for future growth. Tree protection standards shall be detailed in the Tree Protection Ordinance called for in CE-IA-4.</p>	<p><b>Consistent.</b> <del>No trees are present on the site.</del> <u>Three willow trees are present on site as discussed in Section 4.3, Biological Resources and would be replaced at a ratio of 10:1 as required by the Project-specific Conditions of Approval</u></p>
<p><b>CE 9.5: Mitigation of Impacts to Native Trees.</b> Where the removal of mature native trees cannot be avoided through the implementation of project alternatives or where development encroaches into the protected zone and could threaten the continued viability of the tree(s), mitigation measures shall include, at a minimum, the planting of replacement trees on site, if suitable area exists on the subject site, or offsite if suitable onsite area is unavailable, consistent with the Tree Protection Ordinance (see also CE-IA-4). The Tree Protection Ordinance shall establish the mitigation ratios for replacement trees for every tree removed. Where onsite mitigation is not feasible, offsite mitigation shall be provided by planting of replacement trees at a site within the same watershed. If the tree removal occurs at a site within the Coastal Zone, any offsite mitigation area shall also be located within the Coastal Zone. Minimum sizes for various species of replacement trees shall be established in the Tree Protection Ordinance. Mitigation sites shall be monitored for a period of 5 years. The City may require replanting of trees that do not survive.</p>	<p><b>Consistent.</b> <del>No significant native trees are present on the site.</del> <u>Three willow trees are present on site as discussed in Section 4.3, Biological Resources and would be replaced at a ratio of 10:1 as required by the Project-specific Conditions of Approval</u></p>
<p><b>CE 10.1: New Development and Water Quality.</b> New development shall not result in the degradation of the water quality of groundwater basins or surface waters; surface waters include the ocean, lagoons, creeks, ponds, and wetlands. Urban runoff pollutants shall not be discharged or deposited such that they adversely affect these resources.</p>	<p><b>Consistent with Mitigation.</b> Implementation of the existing U.S. Army Corps or Engineers permit and NPDES requirements and mitigation for post-construction monitoring would ensure that the Project would not adversely affect surface waters. As described in Section 4.3, <i>Biological Resources</i>, the Project would not result in a reduction in runoff that would result in any hydrological interruption to in Los Carneros Wetland or affect the existing hydrological process. Also refer to Section 4.8, <i>Hydrology and Water Quality</i>.</p>



**Table 4.9-1  
Consistency with Policies in the Goleta General Plan**

Policy	Discussion
<p><b>CE 10.2: Siting and Design of New Development.</b> New development shall be sited and designed to protect water quality and minimize impacts to coastal waters by incorporating measures designed to ensure the following:</p> <ul style="list-style-type: none"> <li>a. Protection of areas that provide important water quality benefits, areas necessary to maintain riparian and aquatic biota, and areas susceptible to erosion and sediment loss.</li> <li>b. Limiting increases in areas covered by impervious surfaces.</li> <li>c. Limiting the area where land disturbances occur, such as clearing of vegetation, cut-and-fill, and grading, to reduce erosion and sediment loss.</li> <li>d. Limiting disturbance of natural drainage features and vegetation.</li> </ul>	<p><b>Consistent with Mitigation.</b> The site does not contain riparian or aquatic resources. Mitigation for post-construction monitoring would ensure that the Project would not adversely affect surface waters. See Section 4.8, <i>Hydrology and Water Quality</i>.</p>
<p><b>CE 10.3: Incorporation of Best Management Practices for Stormwater Management.</b> New development shall be designed to minimize impacts to water quality from increased runoff volumes and discharges of pollutants from nonpoint sources to the maximum extent feasible, consistent with the City's Storm Water Management Plan or a subsequent Storm Water Management Plan approved by the City and the Central Coast Regional Water Quality Control Board. Post construction structural BMPs shall be designed to treat, infiltrate, or filter stormwater runoff in accordance with applicable standards as required by law. Examples of BMPs include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>a. Retention and detention basins.</li> <li>b. Vegetated swales.</li> <li>c. Infiltration galleries or injection wells.</li> <li>d. Use of permeable paving materials.</li> <li>e. Mechanical devices such as oil-water separators and filters.</li> <li>f. Revegetation of graded or disturbed areas.</li> <li>g. Other measures as identified in the City's adopted Storm Water Management Plan and other City-approved regulations.</li> </ul>	<p><b>Consistent with Mitigation.</b> The Project includes construction of drainage infrastructure. Mitigation is required to ensure the infrastructure is maintained over the life of the Project and minimize impacts to water quality and site drainage. See Section 4.8, <i>Hydrology and Water Quality</i>.</p>
<p><b>CE 10.4: New Facilities.</b> New bridges, roads, culverts, and outfalls shall not cause or contribute to creek bank erosion or creek or wetland siltation and shall include BMPs to minimize impacts to water quality. BMPs shall include construction phase erosion control, polluted runoff control plans, and soil stabilization techniques. Where space is available, dispersal of sheet flow from roads into vegetated areas, or other onsite infiltration practices, shall be incorporated into the project design.</p>	<p><b>Consistent.</b> See discussion under CE 10.3 and Section 4.8, <i>Hydrology and Water Quality</i>.</p>
<p><b>CE 10.6: Stormwater Management Requirements.</b> The following requirements shall apply to specific types of development:</p> <ul style="list-style-type: none"> <li>a. Commercial and multiple-family development shall use BMPs to control polluted runoff from structures, parking, and loading areas.</li> </ul>	<p><b>Consistent with Mitigation.</b> The Project would incorporate appropriate BMPs for structures and parking areas. Mitigation is proposed for a Maintenance Agreement to maintain new storm water infrastructure. See Section 4.8, <i>Hydrology and Water Quality</i>.</p>



**Table 4.9-1  
Consistency with Policies in the Goleta General Plan**

Policy	Discussion
<ul style="list-style-type: none"> <li>b. Restaurants shall incorporate BMPs designed to minimize runoff of oil and grease, solvents, phosphates, and suspended solids to the storm drain system.</li> <li>c. Gasoline stations, car washes, and automobile repair facilities shall incorporate BMPs designed to minimize runoff of oil and grease, solvents, car battery acid, engine coolants, and gasoline to the stormwater system.</li> <li>d. Outdoor materials storage areas shall be designed to incorporate BMPs to prevent stormwater contamination from stored materials.</li> <li>e. Trash storage areas shall be designed using BMPs to prevent stormwater contamination by loose trash and debris.</li> </ul>	
<p><b>CE 10.7: Drainage and Stormwater Management Plans.</b> New development shall protect the absorption, purifying, and retentive functions of natural systems that exist on the site. Drainage Plans shall be designed to complement and use existing drainage patterns and systems, where feasible, conveying drainage from the site in a nonerosive manner. Disturbed or degraded natural drainage systems shall be restored where feasible, except where there are geologic or public safety concerns. Proposals for new development shall include the following:</p> <ul style="list-style-type: none"> <li>a. A Construction-Phase Erosion Control and Stormwater Management Plan that specifies the BMPs that will be implemented to minimize erosion and sedimentation; provide adequate sanitary and waste disposal facilities; and prevent contamination of runoff by construction practices, materials, and chemicals.</li> <li>b. A Post-Development-Phase Drainage and Stormwater Management Plan that specifies the BMPs—including site design methods, source controls, and treatment controls—that will be implemented to minimize polluted runoff after construction. This plan shall include monitoring and maintenance plans for the BMP measures.</li> </ul>	<p><b>Consistent with Mitigation.</b> The Project would comply with the requirements of approved drainage and stormwater management plans. Mitigation is proposed for a Maintenance Agreement to maintain new storm water infrastructure. See Section 4.8, <i>Hydrology and Water Quality</i>.</p>
<p><b>CE 10.8: Maintenance of Stormwater Management Facilities.</b> New development shall be required to provide ongoing maintenance of BMP measures where maintenance is necessary for their effective operation. The applicant and/or owner, including successors in interest, shall be responsible for all structural treatment controls and devices as follows:</p> <ul style="list-style-type: none"> <li>a. All structural BMPs shall be inspected, cleaned, and repaired when necessary prior to September 30th of each year.</li> <li>b. Additional inspections, repairs, and maintenance should be performed after storms as needed throughout the rainy season, with any major repairs completed prior to the beginning of the next rainy season.</li> <li>c. Public streets and parking lots shall be swept as</li> </ul>	<p><b>Consistent with Mitigation.</b> The applicant would be responsible for maintenance of BMPs in accordance with an approved stormwater management plan. Mitigation is proposed for a Maintenance Agreement to maintain new storm water infrastructure. See Section 4.8, <i>Hydrology and Water Quality</i>.</p>



**Table 4.9-1  
Consistency with Policies in the Goleta General Plan**

Policy	Discussion
<p>needed and financially feasible to remove debris and contaminated residue.</p> <p>d. The homeowners association, or other private owner, shall be responsible for sweeping of private streets and parking lots.</p>	
<p><b>CE 12.1: Land Use Compatibility.</b> The designation of land uses on the Land Use Plan Map (Figure 2-1) and the review of new development shall ensure that siting of any new sensitive receptors provides for adequate buffers from existing sources of emissions of air pollutants or odors. Sensitive receptors are a facility or land use that includes members of the population sensitive to the effects of air pollutants.</p> <p>Sensitive receptors may include children, the elderly, and people with illnesses. If a development that is a sensitive receptor is proposed within 500 feet of U.S. 101 an analysis of mobile source emissions and associated health risks shall be required. Such developments shall be required to provide an adequate setback from the highway and, if necessary, identify design mitigation measures to reduce health risks to acceptable levels.</p>	<p><b>Consistent with Mitigation.</b> The Project would place sensitive receptors within 500 feet of the U.S. 101 corridor. A Health Risk Assessment (HRA) was conducted by Rincon Consultants, Inc. to study the potential long-term health risks associated with exposure of site residents to diesel particulates from U.S. 101 and the UPRR (refer to Appendix C). The HRA found that site residents would not be exposed to acute (short-term) and chronic health risks due to exposure to air pollutants from U.S. 101 and UPRR. However, the HRA found that health (cancer) risks would be above applicable thresholds. Mitigation Measure AQ-4 would provide for the removal of particulates before they enter the indoor environment, thereby reducing the overall exposure of individual residents to below applicable cancer risk thresholds. With this reduction in exposure, health risks to future residents would be below significance thresholds.</p>
<p><b>CE 12.2: Control of Air Emissions from New Development.</b> The following shall apply to reduction of air emissions from new development:</p> <p>a. Any development proposal that has the potential to increase emissions of air pollutants shall be referred to the Santa Barbara County Air Pollution Control District for comments and recommended conditions prior to final action by the City.</p> <p>b. All new commercial and industrial sources shall be required to use the best-available air pollution control technology. Emissions control equipment shall be properly maintained to ensure efficient and effective operation.</p> <p>c. Wood-burning fireplace installations in new residential development shall be limited to low-emitting State- and U.S. Environmental Protection Agency (EPA)-certified fireplace inserts and woodstoves, pellet stoves, or natural gas fireplaces. In locations near monarch butterfly ESHAs, fireplaces shall be limited to natural gas.</p> <p>d. Adequate buffers between new sources and sensitive receptors shall be required.</p> <p>e. Any permit required by the Santa Barbara County Air Pollution Control District shall be obtained prior to issuance of final development clearance by the City.</p>	<p><b>Consistent.</b> The Project was referred to the APCD for comments. The Project would generate long-term Project emissions primarily associated with Project-generated traffic; however, impacts would be below APCD thresholds. The Project does not involve any commercial or industrial uses or any wood-burning fireplace installations.</p>
<p><b>CE 12.3: Control of Emissions during Grading and Construction.</b> Construction site emissions shall be controlled by using the following measures:</p> <p>a. Watering active construction areas to reduce windborne emissions.</p> <p>b. Covering trucks hauling soil, sand, and other loose materials.</p>	<p><b>Consistent.</b> Construction of the Project is expected to occur over 36 months, including the required pre-construction soil export. Estimated preliminary Project grading would include approximately 178,700 cubic yards of cut and 15,500 cubic yards of fill and approximately <del>115,000</del>92,000 cubic yards of soil would be exported off-site before construction of the Project. Ozone precursors NO<sub>x</sub> and ROC, as well as CO and</p>



**Table 4.9-1  
 Consistency with Policies in the Goleta General Plan**

Policy	Discussion
<p>c. Paving or applying nontoxic solid stabilizers on unpaved access roads and temporary parking areas.</p> <p>d. Hydroseeding inactive construction areas.</p> <p>e. Enclosing or covering open material stockpiles.</p> <p>f. Revegetating graded areas immediately upon completion of work.</p>	<p>diesel exhaust PM, would be emitted by the operation of construction equipment such as graders, backhoes, and generators, while fugitive dust (PM<sub>10</sub>) would be emitted by activities that disturb the soil, such as grading and excavation, road construction and building construction. The pre-construction soil export would proceed according to one of two potential scenarios – one based on smaller (9 cubic yard) haul trucks and another based on larger (20 cubic yard) haul trucks. Scenario 1 includes <del>25,556</del> <u>20,444</u> one-way haul truck trips, worker trips, and operation of on-site equipment and Scenario 2 includes <del>11,500</del> <u>9,200</u> one-way haul truck trips, worker trips, and operation of on-site equipment. The Project would include standard dust control measures in accordance with APCD requirements and emissions would not exceed APCD thresholds.</p>
<p><b>CE 12.4: Minimizing Air Pollution from Transportation Sources.</b> The following measures are designed to reduce air pollution from transportation sources:</p> <p>a. Hollister Corridor Mixed Use. The Land Use Plan for the Hollister Corridor is designed to: 1) Provide new housing near existing workplaces and commercial services to encourage short trips by foot and bicycle. 2) Provide new housing near existing bus routes with convenient and high frequency service. 3) Provide new housing near the US-101 ramps so as to minimize the length of auto trips on streets within the community. 4) Provide new housing at locations near the existing Amtrak line, which could be considered for commuter rail service in the future.</p> <p>b. Other Land Use Policies: The following land use policies are designed to reduce demand for auto travel and promote less polluting modes such as bus transit, walking, and bicycling: 1) Clustering of moderate density housing and incorporation of residential apartments on upper floors of buildings, particularly in Goleta Old Town. 2) Integration of new housing into existing neighborhood commercial centers. 3) Emphasis on moderate density residential development rather than low density sprawl. 4) Integrating pedestrian, bicycle, and transit facilities into new development. 5) Establishment of a fixed urban boundary to reduce sprawl outward from the existing urbanized area.</p> <p>c. Transportation Policies: The following transportation measures are designed to lower emissions of air pollutants by promoting efficient use of the street system: 1) Fine-tuning of intersections and their operations to minimize delays. 2) Coordinated signal timing to improve traffic flow. 3) Promotion of improved transit services. Creation of a linked pedestrian circulation system. 4) Provision of a bikeway system. 5) Encouragement of employer-based trip reduction measures such as subsidized bus fares, flexible work hours, vanpools, and similar measures.</p>	<p><b>Consistent.</b> The Project is on an infill site located in the Central Hollister Residential Development Area as specified in the General Plan. This area is designated by the General Plan and zoning regulations for medium density residential development in an area that enables a choice of alternative modes of travel, such as biking, walking, and public transit. The site is located near retail/commercial centers and job opportunities, thus potentially reducing the distance that residents have to drive to work and for other activities. The Project site is located close to bus lines along Hollister Avenue, approximately 0.5 miles to the south, thus providing convenient access to transit. Additionally, the site is located in proximity to the U S 101 on- and off-ramps at Los Carneros Road, and the Amtrak Station located 0.3 mile east of the site. Although direct access to the Amtrak Station is not currently available, access would be available via Hollister Avenue to La Patera Lane. Further, emissions from Project-generated traffic would not exceed APCD thresholds.</p>



**Table 4.9-1  
Consistency with Policies in the Goleta General Plan**

Policy	Discussion
<p><b>CE 13.1: Energy Efficiency in Existing and New Residential development.</b> The City shall promote the following practices in existing and new residential construction:</p> <ul style="list-style-type: none"> <li>a. Retrofitting of existing residential structures to reduce energy consumption and costs to owners and tenants is encouraged. These retrofits may include: increased insulation, weather stripping, caulking of windows and doors, low-flow showerheads, and other similar improvements. Master metering is discouraged, and conversions to individual metering where practicable is preferred.</li> <li>b. The City shall enforce the State’s residential energy conservation building standards set forth in Title 24 through its plan check and building permit issuance processes.</li> <li>c. New residential development and additions to existing homes shall be designed to provide a maximum solar orientation when appropriate, and shall not adversely affect the solar access of adjacent residential structures. Use of solar water heating systems, operational skylights, passive solar heating, and waste heat recovery systems is encouraged.</li> </ul>	<p><b>Consistent.</b> All new residential buildings must comply with Chapter 15.13 of the Goleta Municipal Code, “Energy Efficiency Standards,” which require energy savings measures that exceed 2008 State of California Title 24 Energy Requirements by 15 percent, and must comply with the 2019 California Green Building Code, as adopted by Goleta Municipal Code Chapter 15.12. The Project is required to meet these standards for building permits.</p>
<p><b>CE 13.3: Use of Renewable Energy Sources.</b> For new projects, the City encourages the incorporation of renewable energy sources. Consideration shall be given to incorporation of renewable energy sources that do not have adverse effects on the environment or on any adjacent residential uses. The following considerations shall apply:</p> <ul style="list-style-type: none"> <li>a. Solar access shall be protected in accordance with the state Solar Rights Act (AB 2473). South wall and rooftop access should be achievable in low-density residential areas, while rooftop access should be possible in other areas.</li> <li>b. New development shall not impair the performance of existing solar energy systems. Compensatory or mitigation measures may be considered in instances where there is no reasonable alternative.</li> <li>c. Alternative energy sources are encouraged, provided that the technology does not contribute to noise, visual, air quality, or other potential impacts on nearby uses and neighborhoods.</li> </ul>	<p><b>Consistent.</b> The Project does not incorporate renewable energy sources at this time. However, this policy is not a requirement and the Project design does not preclude future use of renewable energy sources, such as solar.</p>
<p><b>CE 15.3: Water Conservation for New Development.</b> In order to minimize water use, all new development shall use low water use plumbing fixtures, water-conserving landscaping, low flow irrigation, and reclaimed water for exterior landscaping, where appropriate.</p>	<p><b>Consistent with Mitigation.</b> As described in Section 4.14, <i>Utilities and Service Systems</i>, the Project would receive water service from the Goleta Water District (GWD). In accordance with GWD’s Water Conservation Plan from 2010, the Project also would be required to incorporate feasible Best Management Practices (BMPs) into its water system design. Such practices include the use of water conserving fixtures and water efficient landscape and irrigation.</p>



**Table 4.9-1  
Consistency with Policies in the Goleta General Plan**

Policy	Discussion
<b>SAFETY ELEMENT</b>	
<p><b>SE 1.3: Site-Specific Hazards Studies.</b> Applications for new development shall consider exposure of the new development to coastal and other hazards. Where appropriate, an application for new development shall include a geologic/soils/geotechnical study and any other studies that identify geologic hazards affecting the proposed project site and any necessary mitigation measures. The study report shall contain a statement certifying that the project site is suitable for the proposed development and that the development will be safe from geologic hazards. The report shall be prepared and signed by a licensed certified engineering geologist or geotechnical engineer and shall be subject to review and acceptance by the City.</p>	<p><b>Consistent.</b> A Geotechnical Engineering Report was prepared for the site by Earth Systems Pacific in 2014. As described in Section 4.5, <i>Geology and Soils</i>, the soils on the site are prone to liquefaction and expansion. Mitigation has been identified to reduce impacts to a less than significant level.</p>
<p><b>SE 1.9: Reduction of Radon Hazards.</b> The City shall require the consideration of radon hazards for all new construction and require testing of radon levels for construction of homes and buildings located in areas subject to moderate or high potential for radon gas levels exceeding 4.0 picocuries as shown on maps produced by the California Division of Mines and Geology. The City shall require new homes to use radon-resistant construction where needed based on U.S. Environmental Protection Agency guidelines.</p>	<p><b>Consistent.</b> According to the California Division of Mines and Geology radon mapping, the Project site is located in an area with low potential for indoor radon levels above 4.0 picocuries per liter (Santa Barbara and Ventura Counties Radon Mapping, 1997).</p>
<p><b>SE 4.4: Setback from Faults.</b> New development shall not be located closer than 50 feet to any active or potentially active fault line to reduce potential damage from surface rupture. Nonstructural development may be allowed in such areas, depending on how such nonstructural development would withstand or respond to fault rupture or other seismic damage</p>	<p><b>Consistent.</b> The closest Alquist-Priolo mapped earthquake fault is over 20 miles to the southeast (Pitas Point/Red Mountain Faults). The More Ranch Fault is located approximately 1 mile south of the Project site, and is characterized as active in the Santa Barbara County Comprehensive Plan Seismic Safety and Safety Element. Therefore, there are no active or potentially active faults on or within 50 feet of the Project site.</p>
<p><b>SE 4.11: Geotechnical Report Required.</b> The City shall require geotechnical and/or geologic reports as part of the application for construction of habitable structures and essential services buildings (as defined by the building code) sited in areas having a medium-to-high potential for liquefaction and seismic settlement. The geotechnical study shall evaluate the potential for liquefaction and/or seismic-related settlement to impact the development, and identify appropriate structural-design parameters to mitigate potential hazards.</p>	<p><b>Consistent.</b> See discussion under policy SE 1.3.</p>
<p><b>SE 5.2: Evaluation of Soil-Related Hazards.</b> The City shall require structural evaluation reports with appropriate mitigation measures to be provided for all new subdivisions, and for discretionary projects proposing new nonresidential buildings or substantial additions. Depending on the conclusions of the structural evaluation report, soil and geological reports may also be required. Such studies shall evaluate the potential for soil expansion, compression, and collapse to impact the development; they shall also identify mitigation to reduce these potential impacts, if needed.</p>	<p><b>Consistent.</b> See discussion under policy SE 1.3.</p>



**Table 4.9-1  
Consistency with Policies in the Goleta General Plan**

Policy	Discussion
<p><b>SE 6.4: Avoidance of Flood Hazard Areas.</b> The City shall discourage any new intensive development in any flood hazard area. Similarly, the City shall require appropriate flood mitigation for intensification of existing development in any flood-prone area. The City shall not approve development within areas designated as the 100-year floodplain that would obstruct flood flow (such as construction in the designated floodway), displace floodwaters onto other property, or be subject to flood damage. The City shall not allow development that will create or worsen drainage problems.</p>	<p><b>Consistent.</b> The Project site is not located in the 100-year floodplain.</p>
<p><b>SE 7.1: Fire Prevention and Response Measures for New Development.</b> New development and redevelopment projects shall be designed and constructed in accordance with National Fire Protection Association standards to minimize fire hazards, with special attention given to fuel management and improved access in areas with higher fire risk, with access or water supply deficiencies, or beyond a 5-minute response time.</p>	<p><b>Consistent.</b> The Project would be built in accordance with all fire protection standards and is within the 5-minute response zone. The nearest fire station, which serves the Project site, is Fire Station 14, located at 320 North Los Carneros Road, approximately ½ mile north of the Project site.</p>
<p><b>SE 7.2: Review of New Development.</b> Applications for new or expanded development shall be reviewed by appropriate Santa Barbara County Fire Department personnel to ensure they are designed in a manner that reduces the risk of loss due to fire. Such review shall include consideration of the adequacy of “defensible space” around structures at risk; access for fire suppression equipment, water supplies, construction standards; and vegetation clearance. Secondary access may be required and shall be considered on a case-by case basis. The City shall encourage built-in fire suppression systems such as sprinklers, particularly in high-risk or high-value areas.</p>	<p><b>Consistent.</b> The Project has been reviewed by the Santa Barbara County Fire Protection District. The Fire District provided specifications for elevators, driveways, street signs, fire hydrants, a new fire lane, fire extinguishers, automatic sprinkler system, automatic fire or emergency alarm system, access way entrance gates, requirement for a Knox Box at entry, and payment of development impact fees. The Project would be consistent with the Fire Departments comments.</p>
<p><b>SE 7.5: Automatic Fire Sprinkler Systems.</b> The City shall require the installation of automatic fire sprinklers for; a) all new buildings that have a total floor area of 5,000 square feet or more and b) any existing building proposed for remodeling or an addition, which, upon completion of the remodel or addition, will have a total floor area of 5,000 square feet or more. The 5,000-square-foot threshold cited in criteria a) and b), above, shall be reduced to 1,000 square feet for any building zoned or used for commercial or industrial purposes if such building is within 100 feet of any residentially zoned parcel.</p>	<p><b>Consistent.</b> The Project has been reviewed by the Santa Barbara County Fire Protection District and would be subject to standard Department requirements mandating installation of fire sprinklers.</p>
<p><b>SE 10.5: Restriction on Residential Development near Hazardous Facilities.</b> The City shall consider the exposure of new development to risk of hazardous materials accidents and exposure as a part of its project and environmental review processes and require any appropriate mitigation measures. The City shall not allow any new residential development near hazardous facilities if these residences would be exposed to unacceptable and unmitigable risk.</p>	<p><b>Consistent.</b> Upon adoption of the General Plan, the City determined that a residential land use/zoning designation was appropriate for the Project site. As discussed in Section 4.7, <i>Hazardous Materials/Risk of Upset</i>, the potential release of hazardous materials from nearby businesses, truck accidents on U.S. 101, train derailments on the UPRR rail line, and a high-pressure natural gas pipeline on Hollister Avenue is low. The potential consequences of such a release could be catastrophic, resulting in injury or death to Project site residents. However, the Project would not increase exposure of residents to risks associated with chemical leaks and fire from nearby businesses, derailed trains, and truck accidents</p>





**Table 4.9-1  
Consistency with Policies in the Goleta General Plan**

Policy	Discussion
	beyond levels already anticipated in the General Plan FEIR. Therefore, a less than significant impact was identified and the various upset hazards present in the site vicinity do not constitute an unacceptable risk for residences to be placed on the Project site.
<b>VISUAL AND HISTORIC RESOURCES ELEMENT</b>	
<p><b>VH 1.1: Scenic Resources.</b> An essential aspect of Goleta’s character is derived from the various scenic resources within and around the city. Views of these resources from public and private areas contribute to the overall attractiveness of the city and the quality of life enjoyed by its residents, visitors, and workforce. The City shall support the protection and preservation of the following scenic resources:</p> <ul style="list-style-type: none"> <li>a. The open waters of the Pacific Ocean/Santa Barbara Channel, with the Channel Islands visible in the distance.</li> <li>b. Goleta’s Pacific shoreline, including beaches, dunes, lagoons, coastal bluffs, and open costal mesas.</li> <li>c. Goleta and Devereux Sloughs.</li> <li>d. Creeks and the vegetation associated with their riparian corridors.</li> <li>e. Agricultural areas, including orchards, lands in vegetable or other crop production, and fallow agricultural lands.</li> <li>f. Lake Los Carneros and the surrounding woodlands.</li> <li>g. Prominent natural landforms, such as the foothills and the Santa Ynez Mountains.</li> </ul>	<p><b>Consistent.</b> As described in Section 4.1, <i>Aesthetics</i>, The Project site does not include scenic resources identified in Policy VH 1.1. The Project would not obstruct southward scenic views of the Pacific Ocean from the Los Carneros Road overpass. The Project would minimally obstruct a designated view corridor of the Santa Ynez Mountains northward from South Los Carneros Road at Calle Koral. As described in Section 4.1, <i>Aesthetics</i>, the simulated two- and three-story buildings in the southwest portion of the site would barely rise above the existing ridgeline of the Santa Ynez Mountains, minimally obstructing existing views of the mountains to the northeast from the perspective of northbound motorists on South Los Carneros Road. This has been identified as a Class III, less than significant, impact.</p>
<p><b>VH 1.4: Protection of Mountain and Foothill Views.</b> Views of mountains and foothills from public areas shall be protected. View protection associated with development that may affect views of mountains or foothills should be accomplished first through site selection and then by use of design alternatives that enhance, rather than obstruct or degrade, such views. To minimize structural intrusion into the skyline, the following development practices shall be used where appropriate:</p> <ul style="list-style-type: none"> <li>a. Limitations on the height and size of structures.</li> <li>b. Limitations on the height of exterior walls (including retaining walls) and fences.</li> <li>c. Stepping of buildings so that the heights of building elements are lower near the street and increase with distance from the public viewing area. Increased setbacks along major roadways to preserve views and create an attractive visual corridor.</li> <li>d. Downcast, fully shielded, full cut off lighting of the minimum intensity needed for the purpose.</li> <li>e. Limitations on removal of native vegetation.</li> <li>f. Use of landscaping for screening purposes and/or minimizing view blockage as applicable.</li> <li>g. Revegetation of disturbed areas.</li> <li>h. Limitations on the use of reflective materials and colors for roofs, walls (including retaining walls), and</li> </ul>	<p><b>Consistent.</b> As described in VH 1.1, above, and Section 4.1, <i>Aesthetics</i>, the Project, while changing the existing view, would not obstruct southward scenic views of the Pacific Ocean from the Los Carneros Road overpass or the Santa Ynez Mountains northward from South Los Carneros Road at Calle Koral.</p>



**Table 4.9-1  
Consistency with Policies in the Goleta General Plan**

Policy	Discussion
<ul style="list-style-type: none"> <li>fences.</li> <li>i. Selection of colors and materials that harmonize with the surrounding landscape.</li> <li>j. Clustering of building sites and structures.</li> </ul>	
<p><b>VH 2.2: Preservation of Scenic Corridors.</b> The aesthetic qualities of scenic corridors shall be preserved through retention of the general character of significant natural features; views of the ocean, foothills, and mountainous areas; and open space associated with recreational and agricultural areas including orchards, prominent vegetation, and historic structures. If landscaping is used to add visual interest or for screening, care should be taken to prevent a wall-like appearance. Bridges, culverts, drainage ditches and other roadway ancillary elements should be appropriately designed; side slopes and earthen berms adjacent to roadways should be natural in appearance.</p>	<p><b>Consistent.</b> With regard to scenic views identified in the General Plan, including Figure 6-1, the Project development will be visible primarily from the Los Carneros Road Overpass, the U.S. 101 Los Carneros southbound on-ramp, and the Los Carneros Road scenic view corridor. Due to the elevation change between the Project site and the overpass/ramp, scenic and coastal views from these viewpoints, while changed, would not be obstructed by the Project. As described in Impact AES-1, the Project would not obstruct southward scenic views of the Pacific Ocean from the Los Carneros Road overpass or the Santa Ynez Mountains northward from South Los Carneros Road at Calle Koral. See discussions under Policies VH 1.1, VH 1.4, and Section 4.1, <i>Aesthetics</i>.</p> <p>As discussed in Section 4.1, <i>Aesthetics</i>, the massing and architectural style of the proposed apartment buildings would be largely compatible with surrounding development. The Project also includes a preliminary landscaping plan, as well as on-site amenities would provide residents with passive and active recreation opportunities including an activity trail, fitness stations, tot lot, benches, barbecue area, picnic tables, 120 bicycle parking spaces throughout the property, level turf play area, and native landscaping.</p>
<p><b>VH 2.3: Development Projects Along Scenic Corridors.</b> Development adjacent to scenic corridors should not degrade or obstruct views of scenic areas. To ensure visual compatibility with the scenic qualities, the following practices shall be used, where appropriate:</p> <ul style="list-style-type: none"> <li>a. Incorporate natural features in design.</li> <li>b. Use landscaping for screening purposes and/or for minimizing view blockage as applicable.</li> <li>c. Minimize vegetation removal.</li> <li>d. Limit the height and size of structures.</li> <li>e. Cluster building sites and structures.</li> <li>f. Limit grading for development including structures, access roads, and driveways. Minimize the length of access roads and driveways and follow the natural contour of the land.</li> <li>g. Preserve historical structures or sites.</li> <li>h. Plant and preserve trees.</li> <li>i. Minimize use of signage.</li> <li>j. Provide site-specific visual assessments, including use of story poles.</li> <li>k. Provide a similar level of architectural detail on all elevations visible from scenic corridors.</li> <li>l. Place existing overhead utilities and all new utilities underground.</li> <li>m. Establish setbacks along major roadways to help protect views and create an attractive scenic corridor.</li> </ul>	<p><b>Consistent.</b> See discussion under policy VH 2.2.</p>



**Table 4.9-1  
Consistency with Policies in the Goleta General Plan**

Policy	Discussion
<p>On flat sites, step the heights of buildings so that the height of building elements is lower close to the street and increases with distance from the street.</p>	
<p><b>VH 3.1: Community Design Character.</b> The visual character of Goleta is derived from the natural landscape and the built environment. The city’s agricultural heritage, open spaces, views of natural features, established low-density residential neighborhoods, and small-scale development with few visually prominent buildings contribute to this character. Residential, commercial, and industrial development should acknowledge and respect the desired aspects of Goleta’s visual character and make a positive contribution to the city through exemplary design.</p>	<p><b>Consistent.</b> As discussed in Section 4.1, <i>Aesthetics</i>, landscaping and building design would respect Goleta’s visual character and the surrounding residential development. The proposed landscape design is intended to blend with the existing Willow Springs Apartments by using a similar plant palette and two-rail fence along Camino Vista. <del>Additionally, Mitigation measures AES-4(a) and AES-4(b) would be required to reduce potentially significant impacts from the Project’s massing and architectural style and to ensure that building heights remain consistent with adjacent development.</del> The massing and architectural style of the proposed apartment buildings would be compatible with surrounding development. The Project design would enhance Goleta’s overall visual character using building forms that are typical of the neighborhood and adding distinction with architectural elements. See the discussion of Policy LU 1.8, Policy VH 1.4 and EIR Section 4.1 <i>Aesthetics</i>.</p>
<p><b>VH 3.2: Neighborhood Identity.</b> The unique qualities and character of each neighborhood shall be preserved and strengthened. Neighborhood context and scale shall be maintained. New development shall be compatible with existing architectural styles of adjacent development, except where poor quality design exists.</p>	<p><b>Consistent.</b> The proposed apartment buildings would be compatible with adjacent residential buildings. Both the Project and adjacent residential development are multi-family housing made up of buildings two and three stories tall. The Project site plan corresponds with the neighborhood context and the structures are not out of scale with the area. Additionally, architectural elements in the building design, such as the proposed severe, rectangular appearance, provide a distinction for the on-site development. See Section 4.1, <i>Aesthetics</i>, and Policies LU 1.8, VH 1.4. and VH3.1</p>
<p><b>VH 3.3: Site Design.</b> The City’s visual character shall be enhanced through appropriate site design. Site plans shall provide for buildings, structures, and uses that are subordinate to the natural topography, existing vegetation, and drainage courses; adequate landscaping; adequate vehicular circulation and parking; adequate pedestrian circulation; and provision and/or maintenance of solar access.</p>	<p><b>Consistent.</b> The Project would remove <del>115,000</del> 92,000 cubic yards of fill soil from the site, restoring the natural topography of the site. See Section 4.1, <i>Aesthetics</i>, for further details.</p>
<p><b>VH 3.4: Building Design.</b> The city’s visual character shall be enhanced through development of structures that are appropriate in scale and orientation and that use high-quality, durable materials. Structures shall incorporate architectural styles, landscaping, and amenities that are compatible with and complement surrounding development.</p>	<p><b>Consistent.</b> See discussions under Policies LU 1.8, VH 1.4, VH 3.1 and VH 3.2, and in section 4.1, <i>Aesthetics</i>.</p>
<p><b>VH 4.4: Multifamily Residential Areas.</b> In addition to the items listed in Subpolicy VH 4.3, the following standards shall be applicable to multifamily residential development (see related Subpolicies LU 1.9 and LU 2.3):</p> <ol style="list-style-type: none"> <li>a. Roof lines should be varied to create visual interest.</li> <li>b. Large building masses should be avoided, and where feasible, several smaller buildings are encouraged rather than one large structure. Multiple structures should be clustered to maximize open space.</li> <li>c.</li> </ol>	<p><b>Consistent.</b> The Project includes 10 residential buildings with varied rooflines (flat and gabled) and architectural details including balconies. Based on the preliminary landscaping plan, extensive landscaping also would soften the development’s mass and scale. The proposed landscape design is intended to blend with the existing Willow Springs Apartments by using a similar plant palette and two-rail fence along Camino Vista. <del>Additionally, Mitigation measures AES-4(a) and AES-4(b) would be required to reduce potentially</del></p>



**Table 4.9-1  
 Consistency with Policies in the Goleta General Plan**

Policy	Discussion
<p>Multifamily residential developments shall include common open space that is appropriately located, is functional, and provides amenities for different age groups.</p> <p>c. Where multifamily developments are located next to less dense existing residential development, open space should provide a buffer along the perimeter.</p> <p>d. Individual units shall be distinguishable from each other. Long continuous wall planes and parking corridors shall be avoided. Three dimensional façades are encouraged.</p> <p>e. Extensive landscaping is encouraged to soften building edges and provide a transition between adjacent properties.</p> <p>f. Storage areas for recycling and trash shall be covered and conveniently located for all residents and screened with landscaping or walls.</p> <p>g. Safe and aesthetically pleasing pedestrian access that is physically separated from vehicular access shall be provided in all new residential developments whenever feasible. Transitional spaces, including landscape or hardscape elements, should be provided from the pedestrian access to the main entrance. Main entrances should not open directly onto driveways or streets. Safe bicycle access should be considered in all residential developments.</p>	<p><del>significant impacts from the Project's massing and architectural style and to ensure that building heights remain consistent with adjacent development.</del> Pedestrian access would also be provided throughout the site and landscaping would be provided along site boundaries to screen the site from nearby roadways. Storage areas for trash and recycling bins would be screened.</p>
<p><b>VH 4.9: Landscape Design.</b> Landscaping shall be considered and designed as an integral part of development, not relegated to remaining portions of a site following placement of buildings, parking, or vehicular access. Landscaping shall conform to the following standards:</p> <p>a. Landscaping that conforms to the natural topography and protects existing specimen trees is encouraged.</p> <p>b. Any specimen trees removed shall be replaced with a similar size tree or with a tree deemed appropriate by the City.</p> <p>c. Landscaping shall emphasize the use of native and drought-tolerant vegetation and should include a range and density of plantings including trees, shrubs, groundcover, and vines of various heights and species.</p> <p>d. The use of invasive plants shall be prohibited.</p> <p>e. Landscaping shall be incorporated into the design to soften building masses, reinforce pedestrian scale, and provide screening along public streets and off-street parking areas.</p>	<p><b>Consistent.</b> As described in Section 2.0, <i>Project Description</i>, and Section 4.1, <i>Aesthetics</i>, the Project includes native landscaping throughout the Project and landscape screening on the perimeter of the site.</p>



**Table 4.9-1  
Consistency with Policies in the Goleta General Plan**

Policy	Discussion
<p><b>VH 4.12: Lighting.</b> Outdoor lighting fixtures shall be designed, located, aimed downward or toward structures (if properly shielded), retrofitted if feasible, and maintained in order to prevent overlighting, energy waste, glare, light trespass, and sky glow. The following standards shall apply:</p> <ul style="list-style-type: none"> <li>a. Outdoor lighting shall be the minimum number of fixtures and intensity needed for the intended purpose. Fixtures shall be fully shielded and have full cut off lights to minimize visibility from public viewing areas and prevent light pollution into residential areas or other sensitive uses such as wildlife habitats or migration routes.</li> <li>b. Direct upward light emission shall be avoided to protect views of the night sky.</li> <li>c. Light fixtures used in new development shall be appropriate to the architectural style and scale and compatible with the surrounding area.</li> </ul>	<p><b>Consistent.</b> Outdoor lighting fixtures would be of the minimum number necessary for safety and would be properly shielded. See Section 4.1, <i>Aesthetics</i>, includes mitigation for outdoor lighting specification ensuring the Project is consistent with this policy.</p>
<p><b>VH 4.15: Site-Specific Visual Assessments.</b> The use of story poles, physical or software-based models, photo-realistic visual simulations, perspectives, photographs, or other tools shall be required, when appropriate, to evaluate the visual effects of proposed development and demonstrate visual compatibility and impacts on scenic views.</p>	<p><b>Consistent.</b> As discussed in Section 4.1, <i>Aesthetics</i>, photo-realistic visual simulations show that the Project would create a less than significant impact on views of the Santa Ynez Mountains from South Los Carneros Road.</p>
<p><b>VH 5.4: Preservation of Historic Resources.</b> Historic resources and the heritage they represent shall be protected, preserved, and enhanced to the fullest extent feasible. The City shall recognize, preserve and rehabilitate publicly owned historic resources and provide incentive programs to encourage the designation, protection, and preservation of privately owned historic resources. Various incentives or benefits to the property owner shall be considered, such as direct financial assistance, reduced permitting fees to upgrade structures, flexibility with regard to allowed uses, compliance with the State Historic Building Code rather than the Uniform Building Code, façade conservation easements, identification of grant sources, provision of information regarding rehabilitation loan financing, and tax advantages.</p>	<p><b>Consistent.</b> The Project site does not include known historic structures.</p>
<b>TRANSPORTATION ELEMENT</b>	
<p><b>TE 1.6: Development Review.</b> As a condition of approval of new non-residential projects, the City may require developers to provide improvements that will reduce the use of single-occupancy vehicles. These improvements may include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>a. Preferential parking spaces for carpools.</li> <li>b. Bicycle storage, parking spaces, and shower facilities for employees.</li> <li>c. Bus turnouts and shelters at bus stops.</li> <li>d. Other improvements as may be appropriate to the site.</li> </ul>	<p><b>Consistent.</b> The Project includes 120 bicycle parking spaces placed throughout the property. Additionally, the public transportation located along Hollister Ave is accessible from the Project site.</p>



**Table 4.9-1  
Consistency with Policies in the Goleta General Plan**

Policy	Discussion
<p><b>TE 7.12: Transit Amenities in New Development.</b> The City shall require new or substantially renovated development to incorporate appropriate measures to facilitate transit use, such as integrating bus stop design with the design of the development. Bus turnouts, comfortable and attractive all-weather shelters, lighting, benches, secure bicycle parking, and other appropriate amenities shall be incorporated into development, when appropriate, along Hollister Avenue and along other bus routes within the city. Existing facilities that are inadequate or deteriorated shall be improved or upgraded where appropriate and feasible.</p>	<p><b>Consistent.</b> The Project would result in approximately 11 new transit users during the peak periods (7:00 to 9:00 A.M. and 4:00 to 6:00 P.M.) (refer to Appendix I). There are currently 22 buses that serve the Project area during the weekday peak hour periods. Thus, the Project would add fewer than 1 rider per bus on average. New bus riders generated by the Project would not measurably impact the operations of the transit routes that serve the site. Bus stops are located in close proximity to the Project site on Hollister Avenue at the Aero Camino intersection (approximately 0.3 miles south of the Project site) and would be easily accessible from the site.</p>
<p><b>TE 9.3: Parking in Residential Neighborhoods.</b> Any proposed new or expanded use in residential areas shall provide adequate onsite parking to support the use. Adequate parking shall be provided to minimize the need for parking in public rights-of-way and to avoid spillover of parking onto adjacent uses and into other areas. The existing supply of onstreet parking spaces shall be preserved to the maximum extent feasible. Off-street parking for proposed new single-family dwellings in all residential use categories shall be provided in enclosed garages. Driveway aprons in single-family residential neighborhoods shall have sufficient widths and depths to allow parking of two standard-sized vehicles in front of the garage.</p>	<p><b>Consistent.</b> The Project would provide adequate on-site parking to serve future uses under the State Density Bonus Law. Additionally, to reduce any concerns over parking for the affordable housing component, parking spaces would be assigned specifically to a unit, and in some cases would require a lease addendum prohibiting the resident from owning a vehicle during their tenancy. Furthermore, the affordable portion of the Project is intended to serve people with special needs who often cannot afford to own an operating/insured vehicle, as well as some seniors, some of whom cannot drive.</p>
<p><b>TE 10.4: Pedestrian Facilities in New Development.</b> Proposals for new development or substantial alterations of existing development shall be required to include pedestrian linkages and standard frontage improvements. These improvements may include construction of sidewalks and other pedestrian paths, provision of benches, public art, informational signage, appropriate landscaping, and lighting. In planning new subdivisions or large-scale development, pedestrian connections should be provided through subdivisions and cul-de-sacs to interconnect with adjacent areas. Dedications of public access easements shall be required where appropriate.</p>	<p><b>Consistent.</b> The Project includes internal sidewalks and pedestrian paths and connections to Calle Koral, which has sidewalks to Los Carneros Road.</p>
<p><b>TE 11.4: Facilities in New Development.</b> Bicycle facilities such as lockers, secure enclosed parking, and lighting shall be incorporated into the design of all new development to encourage bicycle travel and facilitate and encourage bicycle commuting. Showers and changing rooms should be incorporated into the design of all new development where feasible. Transportation improvements necessitated by new development should provide onsite connections to existing and proposed bikeways.</p>	<p><b>Consistent.</b> The Project includes 120 bicycle parking pads placed throughout the property and would provide on-site security lighting. The Project is a residential development; therefore, items such as bike lockers, showers, and changing rooms do not apply.</p>
<p><b>TE 13.1: Traffic Studies for Development Proposals.</b> Future development in Goleta will cause added burdens on the transportation system. Traffic analyses and reports shall be required for development proposals which the City Engineer and Planning Director determine may have effects on the local street system, including but not limited to possible degradation of service levels, potential creation of safety hazards, potential adverse effects on local</p>	<p><b>Consistent.</b> The analysis in the EIR is based primarily on the <i>Updated Traffic and Circulation Study</i> for the Project prepared by Associated Traffic Engineers (ATE), dated March 2021, and the <i>VMT Calculations</i> for the Revised Heritage Ridge Project prepared by ATE, dated April 2021. These reports are included in Appendix I.</p>



**Table 4.9-1  
 Consistency with Policies in the Goleta General Plan**

Policy	Discussion
<p>neighborhood streets, or other substantial transportation concerns. When required by the City, traffic studies shall be performed by a qualified transportation engineer under a contract with the City. The costs of the traffic study, including costs of City staff time, shall be the responsibility of the project applicant.</p>	
<p><b>TE 13.3: Maintenance of LOS Standards.</b> New development shall only be allowed when and where such development can be adequately (as defined by the LOS standards in Policy TE 4) served by existing and/or planned transportation facilities. Transportation facilities are considered adequate if, at the time of development:</p> <ul style="list-style-type: none"> <li>a. Existing transportation facilities serving the development, including those to be constructed by the developer as part of the project, will result in meeting the adopted LOS standards set in Policy TE 4; or</li> <li>b. A binding financial commitment and agreement is in place to complete the necessary transportation system improvements (except for the planned new grade-separated freeway crossings), or to implement other strategies which will mitigate the project-specific impacts to an acceptable level, within 6 or fewer years; and</li> <li>c. Any additional offsite traffic mitigation measures are incorporated into the impact fee system for addressing cumulative transportation impacts of future development.</li> </ul>	<p><b>Consistent.</b> An analysis of LOS is required under City’s General Plan policies as part of the project planning and approval process. The <i>Updated Traffic and Circulation Study</i> for the Project (ATE, March 2021; Appendix I) contains an analysis of LOS. As detailed in the <i>Updated Traffic and Circulation Study</i>, the study area roadways and intersections would not exceed the City’s LOS standards with the proposed Project.</p>
<b>PUBLIC FACILITIES ELEMENT</b>	
<p><b>PF 3.4: Fire Safety in New Development.</b> The following fire safety standards shall be met, where applicable, in new development within the city:</p> <ul style="list-style-type: none"> <li>a. Two routes of ingress and egress shall be required for any new development or subdivision of land requiring approval of a discretionary action. This requirement may be waived by the City when secondary access cannot be provided and maintenance of fire safety standards are ensured by other means.</li> <li>b. All private roads that provide access to structures served by the Santa Barbara County Fire Department shall be constructed at a minimum to the department’s standards.</li> <li>c. All nonagricultural development in the foothills area shall include provisions for connection to the GWD or another public water purveyor.</li> <li>d. Emergency access shall be a consideration in the siting and design of all new development within the city.</li> </ul>	<p><b>Consistent.</b> The Project would have two routes of ingress and egress. Additionally, the Fire Protection District reviewed the Project and found it to be acceptable. The Department provided a number of conditions that would be required to obtain the required Fire Protection Certificate. With implementation of these conditions the Project would be consistent.</p>
<p><b>PF 3.8: Impact Fee for Police Facilities.</b> The City shall continue to require a development impact fee to provide revenue to assist with funding capital facilities for police services.</p>	<p><b>Consistent.</b> The applicant would be required to pay development impact fees for police protection services.</p>



**Table 4.9-1  
Consistency with Policies in the Goleta General Plan**

Policy	Discussion
<p><b>PF 3.9: Safety Considerations in New Development.</b> All proposals for new or substantially remodeled development shall be reviewed for potential demand for and impacts on safety and demand for police services. The design of streets and buildings should reinforce secure, safe, and crime-free environments. Safety and crime reduction or prevention, as well as ease of policing, shall be a consideration in the siting and design of all new development within the city.</p>	<p><b>Consistent.</b> The Project’s impacts on police protection services was evaluated in Section 4.11, <i>Public Services</i>, and found to be less than significant. The Project involves the construction of walls along the north, east, and west boundaries that would reduce trespassing.</p>
<p><b>PF 5.2: Assessment of School Impacts of Large Development Projects.</b> Applications for residential development within the city shall be referred to the school districts for their review and comments. The City shall require the assessment of impacts of large development projects on school facility needs through the preparation of environmental documents pursuant to CEQA.</p>	<p><b>Consistent.</b> Impacts of the Project on schools were evaluated Section 4.11, <i>Public Services</i>, and found to be less than significant. The Project applicant would be required to pay school impact mitigation fees.</p>
<p><b>PF 9.2: Phasing of New Development.</b> Development shall be allowed only when and where it is demonstrated that all public facilities are adequate and only when and where such development can be adequately served by essential public services without reducing levels of service elsewhere.</p>	<p><b>Consistent.</b> Adequate public facilities are available to serve the Project. See also discussions for Policies PF 3.4, PF 3.8, PF 3.9, and PF 5.2.</p>
<p><b>PF 9.3: Responsibilities of Developers.</b> Construction permits shall not be granted until the developer provides for the installation and/or financing of needed public facilities. If adequate facilities are currently unavailable and public funds are not committed to provide such facilities, the burden shall be on the developer to arrange appropriate financing or provide such facilities in order to develop. Developers shall provide or pay for the costs of generating technical information as to impacts the proposed development will have on public facilities and services. The City shall require new development to finance the facilities needed to support the development wherever a direct connection or nexus of benefit or impact can be demonstrated.</p>	<p><b>Consistent.</b> See discussions for Policies PF 3.4, PF 3.8, PF 3.9, PF 5.2, and PF 9.2.</p>
<p><b>PF 9.7: Essential Services for New Development.</b> Development shall be allowed only when and where all essential utility services are adequate in accord with the service standards of their providers and only when and where such development can be adequately served by essential utilities without reducing levels of service below the level of service guidelines elsewhere.</p> <ol style="list-style-type: none"> <li>a. Domestic water service, sanitary sewer service, stormwater management facilities, streets, fire services, schools, and parks shall be considered essential for supporting new development.</li> <li>b. A development shall not be approved if it causes the level of service of an essential utility service to decline below the standards referenced above unless improvements to mitigate the impacts are made concurrent with the development for the purposes of this policy. "Concurrent with the development" shall mean that improvements are in place at the time of</li> </ol>	<p><b>Consistent.</b> Based upon the Judgement Upon Arbitration Award, Case Number 232281 filed in Santa Barbara Superior Court on February 26, 2002, the combined Willow Springs properties (Willow Springs I, Willow Springs II, and the Project) have been granted allocation of a total of 100.9 AFY of potable water from the GWD. The total estimated water demand for the three properties is 100.8 AFY. As discussed in Section 4.14, <i>Utilities and Service Systems</i>, the Project would be adequately served by water, sewer, and stormwater services. See discussion for Policies PF 3.4, PF 3.8, PF 3.9, PF 5.2, PF 9.2, and PF 9.3.</p>





**Table 4.9-1  
Consistency with Policies in the Goleta General Plan**

Policy	Discussion
<p>the development or that a financial commitment is in place to complete the improvements.</p> <p>c. If adequate essential utility services are currently unavailable and public funds are not committed to provide such facilities, developers must provide such facilities at their own expense in order to develop.</p>	
<b>NOISE ELEMENT</b>	
<p><b>NE 1.1: Land Use Compatibility Standards.</b> The City shall use the standards and criteria of Table 9-2 to establish compatibility of land use and noise exposure. The City shall require appropriate mitigation, if feasible, or prohibit development that would subject proposed or existing land uses to noise levels that exceed acceptable levels as indicated in this table. Proposals for new development that would cause standards to be exceeded shall only be approved if the project would provide a substantial benefit to the City (including but not limited to provision of affordable housing units or as part of a redevelopment project), and if adequate mitigation measures are employed to reduce interior noise levels to acceptable levels.</p>	<p><b>Consistent with Mitigation.</b> The Project could expose future residents to noise above the standards and criteria of the City's General Plan Noise Element Table 9-2, <i>Noise and Land Use Compatibility Criteria</i> due to noise from the adjacent U.S. 101, UPRR and existing business park development. However, Mitigation Measure N-5 in Section 4.10, <i>Noise</i>, would reduce indoor and outdoor noise exposure levels for the proposed housing Project to within City standards. Noise associated with Project construction was found to not exceed thresholds. Project generated traffic noise would not exceed thresholds.</p> <p>This residential apartment Project would provide 228 market-rate housing units to assist the City in addressing its jobs/housing balance.</p>
<p><b>NE 1.2: Location of New Residential Development.</b> Where sites, or portions of sites, designated by the land use element for residential use exceed 60 dBA CNEL, the City shall require measures to be incorporated into the design of projects that will mitigate interior noise levels and noise levels for exterior living and play areas to an acceptable level. In the event that a proposed residential or mixed-use project exceeds these standards, the project may be approved only if it would provide a substantial benefit to the City, including but not limited to, provision of affordable residential units. Mitigation measures shall reduce interior noise levels to 45 dBA CNEL or less, while noise levels at exterior living areas and play areas should in general not exceed 60 dBA CNEL and 65 dBA CNEL, respectively.</p>	<p><b>Consistent with Mitigation.</b> See discussion for policy NE 1.1.</p>
<p><b>NE 1.4: Acoustical Studies.</b> An acoustical study that includes field measurement of noise levels may be required for any proposed project that would: a) locate a potentially intrusive noise source near an existing sensitive receptor, or b) locate a noise sensitive land use near an existing known or potentially intrusive noise source such as a freeway, arterial roadway, railroad, industrial facility, or airport traffic pattern. Acoustical studies should identify noise sources, magnitudes, and potential noise mitigation measures and describe existing and future noise exposure. The acoustical study shall be funded by the applicant and conducted by a qualified person or firm that is experienced in the fields of environmental noise assessment and architectural acoustics. The determination of applicability of this requirement shall be made by the Planning and Environmental Services Department by applying the standards and criteria of Table 9-2.</p>	<p><b>Consistent.</b> An acoustical study was conducted as part of this EIR. Noise sources, magnitudes, and mitigation are described in Section 4.10, <i>Noise</i>.</p>



**Table 4.9-1  
Consistency with Policies in the Goleta General Plan**

Policy	Discussion
<p><b>NE 1.5: Acceptable Noise Levels.</b> New construction and substantial alterations of existing construction shall include appropriate noise insulation measures (such as insulation, glazing, and other sound attenuation measures) so that such construction or renovations comply with state and building code standards for allowable interior noise levels. The intent of this policy is to require improved soundproofing for both noise receivers and sources.</p>	<p><b>Consistent with Mitigation.</b> See discussion for Policy NE 1.1.</p>
<p><b>NE 4.1: Consideration of Exposure to Railway Noise.</b> The City shall consider current and projected exposure to noise levels for any proposed development or use on land adjacent to the UPRR. The City should not approve any development that would result in unacceptable levels of noise exposure in accordance with the standards of Policy NE 1 above.</p>	<p><b>Consistent with Mitigation.</b> The Project is adjacent to the UPRR. Section 4.10, <i>Noise</i>, includes a discussion of noise levels associated with the rail line. With mitigation, noise exposure would be reduced to a less than significant level.</p>
<p><b>NE 6.4: Restrictions on Construction Hours.</b> The City shall require, as a condition of approval for any land use permit or other planning permit, restrictions on construction hours. Noise-generating construction activities for projects near or adjacent to residential buildings and neighborhoods or other sensitive receptors shall be limited to Monday through Friday, 8:00 a.m. to 5:00 p.m. Construction in nonresidential areas away from sensitive receivers shall be limited to Monday through Friday, 7:00 a.m. to 4:00 p.m. Construction shall generally not be allowed on weekends and state holidays. Exceptions to these restrictions may be made in extenuating circumstances (in the event of an emergency, for example) on a case by case basis at the discretion of the Director of Planning and Environmental Services. All construction sites subject to such restrictions shall post the allowed hours of operation near the entrance to the site, so that workers on site are aware of this limitation. City staff shall closely monitor compliance with restrictions on construction hours, and shall promptly investigate and respond to all noncompliance complaints.</p>	<p><b>Consistent with Mitigation.</b> The Project site is located adjacent (within 50 feet) to existing residential uses that are considered sensitive receptors and would be affected by construction at the Project site. Therefore, Mitigation Measure N-1(a) restricts construction activity hours to between 8:00 a.m. and 5:00 p.m. Monday through Friday.</p>
<p><b>NE 6.5: Other Measures to Reduce Construction Noise.</b> The following measures shall be incorporated into grading and building plan specifications to reduce the impact of construction noise:</p> <ol style="list-style-type: none"> <li>a. All construction equipment shall have properly maintained sound-control devices, and no equipment shall have an unmuffled exhaust system.</li> <li>b. Contractors shall implement appropriate additional noise mitigation measures including but not limited to changing the location of stationary construction equipment, shutting off idling equipment, and installing acoustic barriers around significant sources of stationary construction noise.</li> <li>c. To the extent practicable, adequate buffers shall be maintained between noise-generating machinery or equipment and any sensitive receivers. The buffer should ensure that noise at the receiver site does not exceed 65 dBA CNEL. For equipment that produces a noise level of 95 dBA at 50 feet, a buffer of 1600 feet is</li> </ol>	<p><b>Consistent with Mitigation.</b> Mitigation Measures N-1(b) – N-1(e) include additional measures beyond the requirements of this policy to reduce the impacts of construction noise.</p>



**Table 4.9-1  
Consistency with Policies in the Goleta General Plan**

Policy	Discussion
required for attenuation of sound levels to 65 dBA.	
<p><b>NE 7.2: Site-Design Techniques.</b> The City encourages the inclusion of site-design techniques for new construction that will minimize noise exposure impacts. These techniques shall include building placement, landscaped setbacks, and siting of more noise-tolerant components (parking, utility areas, and maintenance facilities) between noise sources and sensitive receptor areas.</p>	<p><b>Consistent with Mitigation.</b> The Project includes construction of eight-foot high sound wall along the northern site boundary to reduce noise from U.S. 101 and UPRR. Mitigation Measure N-5 would further reduce noise exposure impacts.</p>
<p><b>NE 7.6: Noise-Insulation Standards for Multi-Family Dwellings.</b> In compliance with state law, the City shall require all multi-family residential developments that are proposed within the 60-dBA CNEL noise contour to include appropriate noise insulation measures.</p>	<p><b>Consistent with Mitigation.</b> See discussion for policy NE 7.2.</p>
<b>HOUSING ELEMENT</b>	
<p><b>HE 6.3: Vacant Sites Designated for Rezoning to Residential or Higher Density.</b> Vacant sites designated by the Land Use Element for residential use, as identified in Technical Appendix Table 10A-24, shall be rezoned to higher density residential as identified in Technical Appendix Table 10A-28 following adoption of this updated element. Additionally, vacant nonresidential sites, as identified in Technical Appendix Table 10A-27, shall be rezoned to allow for residential use, consistent with the Land Use Element, following adoption of this updated element.</p>	<p><b>Consistent.</b> The Project site is zoned for residential use consistent with the Land Use Element. The Project is consistent with the current residential land use designation and zoning.</p>
<p><b>HE 9.3: Housing Design Principles for Multifamily and Affordable Housing.</b> The intent in the design of new multifamily and affordable housing is to provide stable, safe, and attractive neighborhoods through high-quality architecture, site planning, and amenities that address the following principles (see related Policy VH 4):</p> <ol style="list-style-type: none"> <li>a. Reduce the Appearance of Building Bulk— Require designs that break up the perceived bulk and minimize the apparent height and size of new buildings, including the use of upperstory step-backs, variations in wall and roof planes, and landscaping. Application of exterior finish materials and trim, and windows and doors, for example, are important elements of building design and an indicator of overall building quality.</li> <li>b. Recognize Existing Street Patterns— Incorporate transitions in height and setbacks from adjacent properties to respect adjacent development character and privacy. Design new housing so that it relates to the existing street pattern, creates a sense of neighborliness with surrounding buildings, and integrates pedestrian and bicycle systems.</li> <li>c. Enhance the “Sense of Place” by Incorporating Focal Areas—Design new housing around natural and/or designed focal points that are emphasized through direct pedestrian and bicycle pathway connections. Site design and placement of structures shall include the maximum amount of usable, contiguous open space.</li> </ol>	<p><b>Consistent.</b> The multi-family Project would have overall mass, bulk and scale similar to that of adjacent multi-family residential developments. The Project includes a mixture of two- and three-story buildings and would break up the overall bulk of the development by providing ten buildings clustered on the site with open space common areas between the buildings. The placement of windows and balconies provides privacy for the residential units and metal window canopies are designed using decorative metal. Focal points are provided on-site including a two-acre public park in the center of the development. <del>In addition, Mitigation Measures AES-4(a) and AES-4(b) would be required to reduce potentially significant impacts from the Project’s massing and architectural style and to ensure that building heights remain consistent with adjacent development.</del> The continuity of building architecture and landscaping provide a sense of place. Pedestrian pathways are designed throughout the site and connect to the sidewalk on Calle Koral. Extensive landscaping would be provided along the sites eastern and western boundaries as well as eight-foot high privacy wall to the north provide buffers between site development and adjacent UPRR and U.S. 101. Carports and open parking spaces with landscape screening are located along the side and rear edges of the site. The Project is consistent with housing design principles for multifamily and affordable housing.</p> <p>See discussions under Policies LU 1.8, VH 3.1, VH 3.2, VH 3.3,</p>



**Table 4.9-1  
 Consistency with Policies in the Goleta General Plan**

Policy	Discussion
d. Minimize the Visual Impact of Parking and Garages—Discourage residential designs in which garages dominate the public façade of the residential building. e. Provide Buffers between Housing and Nonresidential Uses—Ensure compatibility of residential and nonresidential uses by addressing parking and driveway patterns, transitions between uses, entries, site planning, and the provision of appropriate buffers to minimize noise, lighting, or use impacts. f. Maximize Privacy for Individual Units—Site design, including placement of structures, pedestrian circulation, and common areas, as well as elements of architectural design such as, but not limited to, placement of windows, shall achieve a maximum degree of privacy for individual dwelling units within multifamily projects, including privacy for individual exterior spaces. g. Maximize Security and Safety—Site and architectural design of multifamily residential projects shall emphasize principles of “defensible space,” security for residents, and public safety and shall facilitate policing and observation by the City’s police department from public streets and rights-of-way to the extent feasible.	VH 3.4, VH 4.4, VH 4.9, VH 4.12, VH 4.15 and section 4.1, <i>Aesthetics</i> .

As described in Table 4.9-1, the Project would be consistent with applicable City land use policies, with incorporation of mitigation included throughout this EIR. Based on the analysis for Impact LU-1, this impact would be Class III, less than significant.

**Mitigation Measures.** Mitigation would not be required as this impact would be less than significant.

**Residual Impact.** Impacts would be less than significant without mitigation.

**Impact LU-2**    **The Project would be consistent with the Inland Zoning Ordinance, as adopted by the Goleta Municipal Code. Impacts would be Class III, less than significant [Threshold 2].**

The Project site is zoned Design Residential in the Inland Zoning Ordinance (Article III, Chapter 35 of the Goleta Municipal Code). Pursuant to the zoning regulations (Section 35-222.1), the purpose of the DR zone district is to “provide standards for traditional multiple residences as well as allowing flexibility and encouraging innovation and diversity in the design of residential developments by allowing a wide range of densities and housing types while requiring the provision of a substantial amount of open space within new residential developments. The intent is to ensure comprehensively planned, well designed projects.” Permitted uses in this zone include multi-family dwelling units, including community apartment projects. Accessory use buildings that are incidental to the permitted uses are also allowed. The Project involves multi-family housing that would be permitted in the DR zone.



The Design Residential zoning designation allows for a maximum of 20 units per acre. As stated in Impact LU-1, the Project site is an Affordable Housing Opportunity Site within the General Plan, which requires a minimum density of 20 units/acre and a maximum density of 25 units/acre. The Project would have a density of 23.63 units/acre.

Table 4.9-2 shows consistency with other DR zone and General Regulation requirements in the City's zone code, based on the proposed site plan shown on Figure 2-5 in Section 2.0, *Project Description*:

**Table 4.9-2  
 Consistency with Zoning Ordinance Requirements**

<b>Zoning Requirements</b>	<b>Project</b>
<b>Front Yard Setback:</b> Twenty (20) feet from right-of-way line	<b>Consistent</b> The front setback would be more than 20 feet from the property line along Camino Vista and 20 feet from the property line along Calle Koral.
<b>Side Yard Setback:</b> Ten (10) feet from any side or rear property line	<b>Consistent</b> Carports would be located 10 feet from the eastern property line.
<b>Rear Yard Structure Setback:</b> The DR zone requires a 10-foot rear yard setback, however General Regulations permit an accessory structure to be located in the rear yard setback.	<b>Consistent</b> Carports (accessory structures) would be located 10-feet from the rear property line.
<b>Parking Design:</b> Arranged to prevent through traffic to other parking areas; uncovered parking shall be screened from the street and adjacent residences to a height of at least four feet with hedges, dense plantings, solid fences or walls.	<b>Consistent</b> The proposed parking areas would only connect to Camino Vista and would not connect to other parking areas. Parking areas would be screened from adjacent uses with perimeter property walls.
<b>Distance between buildings:</b> Minimum of 5 feet	<b>Consistent</b> There would be a minimum of 5 feet between all proposed buildings.
<b>Building Coverage:</b> Not to exceed 30% of the net area of the property	<b>Consistent</b> Building footprints are 17.24.63% of the total site area
<b>Height limit:</b> 35 feet  The zoning ordinance defines building height as the vertical distance from the average finished grade of the lot covered by the building to the <b>mean height</b> of the highest gable or pitch of a hip roof.  For buildings on stepped pads, building height is an <b>average height</b> as determined by measurements around the entire building footprint which are then averaged from the finished grade to mean roof heights.	<b>Consistent</b> The Project includes buildings with a maximum building height of 35 feet.
<b>Open Space:</b> Minimum of 40% of the net area of the property dedicated to common and/or public open space	<b>Consistent</b> Approximately <del>7.2</del> <u>6.23</u> acres of common open space ( <del>without the 2.0 acre park site</del> ), or <del>40.54</del> <u>44.3</u> % of total site area would be provided.



**Table 4.9-2**  
**Consistency with Zoning Ordinance Requirements**

<b>Zoning Requirements</b>	<b>Project</b>
<b>Landscaping:</b> Uncovered parking area separated from property lines by a landscaped strip not less than 5 feet in width.	<b>Consistent</b> No uncovered parking spaces are proposed to be located along property lines.
<b>Density:</b> Minimum 20 du/acre Maximum 25 du/acre	<b>Consistent.</b> The Project's density would be 23.63 acres (332 units/14.05 developable acres).

As indicated in Table 4.9-2, the Project would be consistent with the Inland Zoning Ordinance, as adopted by the Goleta Municipal Code. This impact would be less than significant.

**Mitigation Measures.** Mitigation would not be required as this impact would be less than significant.

**Residual Impact.** Impacts would be less than significant without mitigation.

**c. Cumulative Impacts.** As discussed in Section 3.0, *Related Projects*, planned, pending and recently approved development in and around Goleta consists of 741 residential units and approximately 782,223 square feet of non-residential development. Conflicts regarding land use compatibility between the Project and surrounding uses have been found to be less than significant. These impacts are localized to the Project site and its surrounding area and as such would not involve any significant cumulative impacts. Potential land use conflicts for cumulative development would be addressed on a case-by-case basis and potential impacts would be reduced through Project design review. The Project's contribution to cumulative land use impacts would be less than significant.



*This page intentionally left blank.*



## 4.10 NOISE

This section evaluates both temporary noise impacts associated with construction activity and long-term noise impacts associated with residential use of the Project site. Additionally, noise impacts to sensitive receptors on the Project site and vibration from off-site sources are studied. The analysis herein is based on the *Environmental Noise Study Report* prepared by Dudek for the project site on May 21, 2014 (Appendix H).

### 4.10.1 Setting

**a. Overview of Sound Measurement.** Noise level (or volume) is generally measured in decibels (dB) using the A-weighted sound pressure level (dBA). The A-weighting scale is an adjustment to the actual sound pressure levels to be consistent with that of human hearing response, which is most sensitive to frequencies around 4,000 Hertz (about the highest note on a piano) and less sensitive to low frequencies (below 100 Hertz). In addition to the instantaneous measurement of sound levels, the duration of sound is important since sounds that occur over a long period of time are more likely to be an annoyance or cause direct physical damage or environmental stress. One of the most frequently used noise metrics that considers both duration and sound pressure level is the equivalent noise level (Leq). The Leq is defined as the single steady A-weighted level that is equivalent to the same amount of energy as that contained in the actual fluctuating levels over a period of time. Typically, Leq is summed over a one-hour period.

The sound pressure level is measured on a logarithmic scale with the 0 dB level based on the lowest detectable sound pressure level that people can perceive (an audible sound that is not zero sound pressure level). Decibels cannot be added arithmetically, but rather are added on a logarithmic basis. Based on the logarithmic scale, a doubling of sound energy is equivalent to an increase of 3 dB and a sound that is 10 dB less than the ambient sound level would result in a negligible increase (less than 0.5 dB) in total ambient sound levels. Because of the nature of the human ear, a sound must be about 10 dB greater than the reference sound to be judged as twice as loud. In general, a 3 dB change in community noise levels is noticeable, while 1-2 dB changes generally are not perceived. Quiet suburban areas typically have noise levels in the range of 40 to 50 dBA, while those along arterial streets are in the 50 to 60+ dBA range. Normal conversational levels are in the 60-65 dBA range and ambient noise levels greater than that can interrupt conversations.

Noise levels typically attenuate at a rate of 6 dB per doubling of distance from point sources such as industrial machinery. Noise from lightly traveled roads typically attenuates at a rate of about 4.5 dB per doubling of distance, while noise from heavily traveled roads typically attenuates at about 3 dB per doubling of distance. Noise from a point source typically attenuates at about 6 dBA per doubling of distance. Noise levels may also be reduced by intervening structures; generally, a single row of buildings between the receptor and the noise source reduces the noise level by about 5 dBA, while a solid wall or berm that breaks the line-of-sight reduces noise levels by 5 to 10 dBA. The Federal Transit Administration's (FTA) *Transit Noise and Vibration Impact Assessment* indicates that the manner in which newer buildings in California are constructed generally provides a reduction of exterior-to-interior noise levels of about 25 dBA with closed windows (May 2006). The *Environmental Noise Study Report* prepared by Dudek for the project site (May 2014) finds that standard construction materials and techniques used for residential developments in Southern California (conventional wood frame construction consistent with current California energy conservation requirements) normally result in a minimum exterior-to-interior noise attenuation of 15 dBA with windows open and 20 dBA with windows closed.





The time period in which noise occurs is also important since noise that occurs at night tends to be more disturbing than that which occurs during the daytime. To evaluate community noise on a 24-hour basis, the day-night average sound level was developed (Ldn). Ldn is the average of all A-weighted levels for a 24-hour period with a 10 dB upward adjustment added to those noise levels occurring between 10:00 PM and 7:00 AM to account for the general increased sensitivity of people to nighttime noise levels. The Community Noise Equivalent Level (CNEL) is identical to the Ldn with one exception. The CNEL adds 5 dB to evening noise levels (7:00 PM to 10:00 PM). Thus, both the Ldn and CNEL noise measures represent a 24-hour average of A-weighted noise levels with Ldn providing a nighttime adjustment and CNEL providing both an evening and nighttime adjustment.

**b. Noise Sources.** The project site is located south of U.S. 101 and the Union Pacific Railroad (UPRR) tracks and east of S. Los Carneros Road. The project site is also in an area characterized primarily by residential and industrial development. Consequently, noise sources affecting noise levels on-site and in the project site vicinity include traffic noise, railroad noise, and noise associated with industrial operations.

Railroad Noise. Passenger and freight operations occur along the UPRR, which parallels and is just south of the U.S. 101 corridor. The railroad roughly bisects the City in an east-west direction. Based on information provided in the City of Goleta General Plan Noise Element 2006 and Amtrak's online train schedule, daily rail operations include 12 freight trains with 3 occurring at night, and 9 passenger trains with all occurring during the day (Westar Mixed-Use FEIR, City of Goleta 2012). The maximum instantaneous sound of passing trains ranges from 96 to 100 dBA at 100 feet from the tracks, and the average sound level ranges from 70 to 75 dBA CNEL. The combined noise sources of the railway and U.S. 101 result in a 300- to 600-foot-wide east-west corridor where noise levels equal or exceed 70 dBA CNEL and produce noise levels equal to or exceeding 60 dBA CNEL in a corridor that is roughly three times the width of the 70+ dBA CNEL corridor (Goleta General Plan Noise Element, 2006).

**c. Current Noise Levels.** The Noise Element of the Goleta General Plan shows the northern half of the project site as being within the 65 dBA CNEL noise contour for U.S. 101 and the remainder of the project site as being within the 60 dBA CNEL noise contour. The Noise Element also shows the northern part of the project site as within the 70 dBA CNEL noise contour for the railroad, the central part of the project site as within the 65 dBA CNEL noise contour, and the southern part of the project site as within the 60 dBA CNEL noise contour.

As part of the Noise Study Report, the existing noise environment at the site was monitored on Thursday through Friday, March 13–14, 2014. It should be noted that the Noise Study Report identifies project conditions at the time the Notice of Preparation (NOP) was prepared in accordance with CEQA Guidelines Section 15125(a). The baseline noise levels reported remain relevant because the dominant noise sources in the project area are traffic noise from U.S. 101 and trains along UPRR and these sources have not experienced substantial increases of daily traffic volumes (9% increase from 2014 to present). It is assumed that train frequency has not substantially increased since 2014 NOP. One short-term (6-minute duration) noise measurement and one long-term (24-hour duration) noise measurement was conducted on site. Both measurements were conducted in the same location, adjacent to the northern project boundary, approximately 500 feet east of S. Los Carneros Road. During the short-term noise measurement, traffic on U.S. 101 was counted and noted. The traffic counts and the short-term noise level data were used to calibrate the traffic noise model (refer to Appendix H for measurement device details and methodology).



During the short-term noise measurement, the principal contributor to the ambient noise environment at the project site was traffic noise from the U.S. 101. The U.S. 101 traffic was observed to move smoothly during the measurements. Other noise sources observed during the measurements included distant construction noise. No trains passed by the site during the short-term noise measurement, although rail noise was a contributor during the long-term noise measurement. The noise level measurement results are presented in Table 4.10-1.

**Table 4.10-1  
 Noise Measurement Results**

Location	Date/Time	Measured Ambient Noise (dBA)	
		Leq <sup>1</sup>	CNEL <sup>2</sup>
Adjacent to northern project boundary, approximately mid-site in east-west direction	3/13/2014 1:10 PM - 1:16 PM	54 dBA	n/a
	3/13/2014 2:00 PM - 3/14/2014 2:00 PM	62 dBA	67 dBA

*Notes: Weather conditions: Temperature 64 degrees F; 69% Relative humidity; partly cloudy skies; 2 mph southerly wind. One 6-minute measurement and one 24-hour measurement was taken using an integrating sound level meter.*  
 1. Leq is essentially the average sound level over the measurement period.  
 2. CNEL is the average sound level over a 24-hour period  
 Source: Dudek, 2014 (Appendix H)

Measured on-site noise levels are lower than what is shown in the Noise Element of the General Plan. This is because the generalized noise contours developed as part of the Noise Element do not account for site-specific conditions that affect noise propagation. Site-specific factors that reduce noise from U.S. 101 and the UPRR on the project site include topographic features which obstruct noise transmission, such as the U.S. 101 onramp at S. Los Carneros Road, which serves as a partial barrier that reduces noise from U.S. 101, and S. Los Carneros Road, which serves as a partial barrier to approaching and departing vehicle traffic on U.S. 101 as well as rail traffic on the UPRR line.

**d. Sensitive Noise Receptors.** The General Plan Noise Element defines sensitive receptors as users or types of uses that are interrupted (rather than merely annoyed) by relatively low levels of noise. These include: residential neighborhoods, schools, libraries, hospitals and rest homes, auditoriums, certain open space areas, and public assembly places. Uses in the immediate vicinity of the project site consist primarily of residential and industrial development. Sensitive receptors near the project site include residential uses (Willow Spring I and II) south of the project site across Camino Vista. In addition, an additional residential development has been approved to the west of the project site, beyond S. Los Carneros Road. This development would be considered a noise sensitive use.

**e. Fundamentals of Groundborne Vibration.** Vibration is sound radiated through the ground. The rumbling sound caused by the vibration of room surfaces is called groundborne noise. The ground motion caused by vibration is measured as particle velocity in inches per second and, in the U.S., is referenced as vibration decibels (VdB).

The background vibration velocity level in residential areas is usually around 50 VdB. The vibration velocity level threshold of perception for humans is approximately 65 VdB. A vibration velocity level of 75 VdB is the approximate dividing line between barely perceptible and distinctly perceptible levels for many people. Most perceptible indoor vibration is caused by sources within buildings, such as operation of mechanical equipment, movement of people, or the slamming of doors. Typical outdoor sources of



perceptible groundborne vibration are construction equipment, steel-wheeled trains, and traffic on rough roads. If a roadway is smooth, the groundborne vibration from traffic is rarely perceptible. The range of interest is from approximately 50 VdB, which is the typical background vibration velocity level, to 100 VdB, which is the general threshold where minor damage can occur in fragile buildings. The general human response to different levels of groundborne vibration velocity levels is described in Table 4.10-2.

**Table 4.10-2  
 Human Response to Different Levels of Groundborne Vibration**

<b>Vibration Velocity Level</b>	<b>Human Reaction</b>
65 VdB	Approximate threshold of perception for many people.
75 VdB	Approximate dividing line between barely perceptible and distinctly perceptible. Many people find transit vibration at this level annoying.
85 VdB	Vibration acceptable only if there are an infrequent number of events per day.
90 VdB	Difficulty with tasks such as reading computer screens.

*Source: FTA, 2006.*

**f. Regulatory Setting.** The Noise Element of the Goleta General Plan establishes noise standards for various land use categories based on the U.S. Department of Housing and Urban Development Guidelines and standards from the California Office of Noise Control. The City recommends 50-60 dBA as the “normally acceptable” range and 60-65 dBA as the “conditionally acceptable” range for multi-family residential uses. According to the Goleta General Plan, multi-family residences within the “normally acceptable range” are deemed satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements. Development of multi-family residences within the “conditionally acceptable” range should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features are included in the design.

Table 4.10-3 shows the noise and land use compatibility criteria in the City’s Noise Element.

According to Noise Element policy NE 1.1, the City requires mitigation for development that would subject proposed land uses to noise levels that exceed the acceptable levels shown in Table 4.10-2. Policy NE 1.2 requires new development in areas over 60 dBA CNEL to include mitigation to reduce interior noise levels to 45 dBA CNEL or less. The Noise Element also restricts construction activities near or adjacent to residential buildings and other sensitive receptors to the hours of 8:00 AM to 5:00 PM Monday through Friday and 7:00 AM to 4:00 PM Monday through Friday for construction in nonresidential areas (Policy NE 6.4). Noise Element Policy NE 6.5 requires noise mitigation for construction equipment.

The Goleta Municipal Code (GMC) Chapter 9.09 regulates noise in the City. The purpose of the Chapter is to preserve public peace and comfort for citizens of Goleta from unwarranted noise and disturbances. The GMC prohibits loud and unreasonable noise between the hours of 10:00 PM and 7:00 AM Sunday through Thursday and between 12:00 midnight and 7:00 AM Friday and Saturday. Loud and unreasonable noise is defined as sound which is clearly discernible at a distance of 100 feet from the property line of the property upon which it is broadcast or sound which is above 60 dBA at the edge of the property line



upon which the sounds is broadcast. The City does not have any code requirements related to noise from construction activities but the GMC noise regulations cited would apply to construction noise.

**Table 4.10-3  
 Goleta Noise and Land Use Compatibility Criteria**

Land Use Category	Community Noise Exposure (Ldn or CNEL, dBA)			
	Normally Acceptable	Conditionally Acceptable	Normally Unacceptable	Clearly Unacceptable
Residential - low density	50-60	60-65	65-75	75-85+
Residential – multiple family	50-60	60-65	65-75	75-85+
Transient Lodging – motels and hotels	50-65	65-70	70-80	80-85+
Schools, libraries, churches, hospitals, and nursing homes	50-60	60-65	65-80	80-85+
Auditoriums, concert halls, and amphitheaters	NA	50-65	NA	65-85+
Sports arenas and outdoor spectator sports	NA	50-70	NA	70-85+
Playgrounds and neighborhood parks	50-70	NA	70-75	75-85+
Golf courses, riding stables, water recreation, and cemeteries	50-70	NA	70-80	80-85+
Office buildings, business commercial, and professional	50-67.5	67.5-75	75-85+	NA
Industrial, manufacturing, utilities, and agriculture	50-75	70-75	75-85+	NA

Source: Table 9-2, Noise Element, Goleta General Plan (September 2006)

**Normally Acceptable:** Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements.

**Conditionally Acceptable:** New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features are included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning, will normally suffice.

**Normally Unacceptable:** New construction or development should be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements shall be made and needed noise insulation features shall be included in the design.

**Clearly Unacceptable:** New construction or development should generally not be undertaken.

**NA:** Not applicable.

## 4.10.2 Impact Analysis

**a. Methodology and Significance Thresholds.** The future noise levels at the project area building facades and the outdoor recreational areas (pools areas, park) were calculated using the Federal Highway Administration's (FHWA) Traffic Noise Model (TNM v. 2.5). Noise modeling data sheets can be viewed in Appendix H. The model calculations are based on traffic data from the project traffic and circulation study performed by Associated Transportation Engineers (ATE) (see Appendix I) and Caltrans traffic counts (<http://traffic-counts.dot.ca.gov/>). Since circulation of the Draft EIR in June 2016, the number of proposed



residential units were reduced from 360 to 332, trip generation rates were updated, and trips associated with the park were added, which increased the average daily traffic volume attributable to the project by 235. This increase in project vehicle trips represents a 0.3% of the average daily vehicle volumes on US 101. The TNM modeling in the section does not reflect this minimal increase of daily trips, and therefore provides a moderately conservative analysis of local area roadways. The project's daily increase of 235 vehicle trips would not change the results for future traffic noise levels from the dominant traffic related noise source (U.S. 101). Cumulative conditions correspond to the assumed buildout of pending development within the City as indicated in Section 3.0, *Environmental Setting*, Tables 3-1 and Table 3-2. The traffic noise model was calibrated using the short-term sound level measurement shown in Table 1. The difference between the monitored and calibrated noise levels is less than 1 dBA, which is within the acceptable margin-of-error of noise monitoring equipment and modeling programs.

Based upon Section 2.0, *Project Description*, a planned eight-foot masonry wall height along the northern and western project boundaries was included in the noise model.

Noise associated with rail activities on the adjacent UPRR line was based on information provided in the City of Goleta General Plan Noise Element 2006 Estimates of rail operations (12 freight trains with 3 occurring at night, and 9 passenger trains with all occurring during the day) were obtained from the Westar Mixed-Use FEIR (City of Goleta, 2012) and Amtrak's online train schedule. According to the City of Goleta General Plan Noise Element 2006, passenger and freight operations long the UPRR comprise another source of transportation-related noise. The maximum instantaneous sound level of passing trains ranges from 96 to 100 dBA at 100 feet from the tracks, and the average sound level ranges from 70 to 75 dBA CNEL. The combined noise sources of the railway and U.S. 101 result in a 300- to 600-foot-wide east-west corridor where noise levels equal or exceed 70 dBA CNEL and produce noise levels equal or exceeding 60 dBA CNEL in a corridor that is roughly three times the width of the 70+ dBA CNEL corridor.

Overall on-site noise levels were calculated by standard logarithmic decibel addition. Based on logarithmic addition, a doubling of sound energy translates to a 3 dBA increase in noise (e.g., an increase from 65 dBA to 68 dBA represents a doubling of sound energy). Estimated on-site noise accounts for both vehicle traffic noise and railroad noise.

Construction noise and groundborne vibration levels were estimated based on information available in FTA's *Transit Noise and Vibration Impact Assessment* (May 2006). Reference noise and vibration levels from that document were used to estimate noise levels at nearby sensitive receptor locations based on the distance between the construction site and receptors and a standard noise attenuation rate of 6 dB per doubling of distance and vibration attenuation rate of approximately 9 VdB per doubling of distance. Construction noise and vibration level estimates do not account for the presence of intervening structures or topography, which could further reduce noise and vibration levels at receptor locations. Therefore, the noise and vibration levels presented herein represent a worst-case estimate of actual construction noise.

The following thresholds are based on Appendix G of the *CEQA Guidelines*. Impacts would be potentially significant if the Project would result in:

1. *Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*
2. *Generation of excessive groundborne vibration or groundborne noise levels?*



3. *For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?*

According to the City's *Environmental Thresholds and Guidelines Manual*, impacts would be significant if the Project would result in:

- a) *Noise levels in excess of 65 dBA CNEL that could affect sensitive receptors;*
- b) *Exposure to outdoor noise levels in excess of 65 dBA CNEL and/or exposure to interior noise levels in excess of 45 dBA CNEL.*
- c) *A substantial increase in ambient noise levels for noise-sensitive receptors generally presumed to be an increase to 65 dBA CNEL or more; or a substantial increase in ambient noise levels for noise-sensitive receptors that is less than 65 dBA CNEL, as determined on a case-by-case basis.*
- d) *Noise from grading and construction activity within 1,600 feet of sensitive receptors, including schools, residential development, commercial lodging facilities, hospitals or care facilities.*

With respect to traffic noise increases due to project-generated traffic, impacts would be significant if traffic-generated noise associated with development of the project would result in exposure of sensitive receptors to unacceptable noise levels, as outlined in Table 4.10-4, below. The May 2006 FTA *Transit Noise and Vibration Impact Assessment* recommendations were used to determine whether or not increases in roadway noise would be considered significant. The allowable noise exposure increase changes with increasing noise exposure, such that lower ambient noise levels have a higher allowable noise exposure increase. Table 4.10-4 shows the significance thresholds for increases in traffic-related noise levels caused by the project. If residential development or other sensitive receptors would be exposed to traffic noise increases exceeding the FTA criteria, impacts would be considered significant.

**Table 4.10-4  
 Significance of Changes in  
 Operational Roadway Noise Exposure**

Ldn or Leq in dBA	
Existing Noise Exposure	Allowable Noise Exposure Increase
45-50	7
50-55	5
55-60	3
60-65	2
65-75	1
75+	0

Source: FTA, May 2006



Goleta has not adopted specific thresholds for groundborne vibration impacts. Therefore, this analysis uses the FTA's vibration impact thresholds to determine whether groundborne vibration would be "excessive." A vibration velocity level of 75 VdB is the approximate dividing line between barely perceptible and distinctly perceptible levels for many people. The FTA does not consider most commercial and industrial uses to be noise-sensitive (except for those that depend on quiet as an important part of operations, such as sound recording studios) and therefore does not recommend thresholds for groundborne vibration impacts to such uses. In terms of groundborne vibration impacts on structures, the FTA states that groundborne vibration levels in excess of 100 VdB would damage fragile buildings and levels in excess of 95 VdB would damage extremely fragile historic buildings. According to FTA Transit Noise and Vibration Impact Assessment, the groundborne vibration threshold for "infrequent events," defined as fewer than 30 vibration events of the same kind per day, for residences and buildings where people normally sleep (e.g., the future on-site residences and the residences 50 feet south of the project site) is 80 VdB.

According to the Goleta General Plan, the project site is located outside of the current and the anticipated 2030 60 dBA CNEL noise contour of the Santa Barbara Municipal Airport. There are no private airports within the vicinity of the City. No impact related to airport noise would occur and airport noise impacts for Threshold 3 is discussed in Section 4.17, *Effects Found Not to be Significant*.

**b. Project Impacts and Mitigation Measures.**

**Impact N-1      Construction activities would be located within 50 feet of noise-sensitive receptors, including existing residential uses approximately 50 feet away along the southern project site border, and would last for up to 36 months, including up to ~~27~~ 22 weeks of soil hauling using heavy trucks along Camino Vista. Therefore, temporary construction-related noise could result in a substantial temporary increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance. This impact would be Class I, significant and unavoidable [Threshold 1].**

The Project would be constructed over a period of approximately 36 months, including the required soil hauling. Table 4.10-5 shows typical noise levels associated with various construction equipment at distances of 50, 100, 200, 400, and 500 feet from the noise source. Typical construction noise levels at 50 feet from the source range from about 76 to 89 dBA. The grading/excavation phase of project construction tends to create the highest construction noise levels because of the operation of heavy earth-moving equipment, although only a limited amount of equipment would operate near a given location at a particular time. In the case of the Project, activity requiring the use of heavy earth-moving equipment would include the pre-construction soil removal phase.



**Table 4.10-5  
 Typical Noise Levels at Construction Sites**

<b>Equipment On-site</b>	<b>Typical Level (dBA) 50 Feet from the Source</b>	<b>Typical Level (dBA) 100 Feet from the Source</b>	<b>Typical Level (dBA) 200 feet from the Source</b>	<b>Typical Level (dBA) 400 feet from the Source</b>	<b>Typical Level (dBA) 500 feet from the Source</b>
Air Compressor	81	75	69	63	61
Backhoe	80	74	68	62	60
Concrete Mixer	85	79	73	67	65
Crane, mobile	83	77	71	65	63
Dozer	85	79	73	67	65
Jack Hammer	88	82	76	70	68
Paver	89	83	77	71	69
Saw	76	70	64	58	56
Scraper Laying	89	83	77	71	69
Truck	88	82	76	70	68

*Noise levels assume a noise attenuation rate of 6 dBA per doubling of distance.  
 Source: FTA, May 2006.*

The most affected adjacent uses are residential uses (Willow Spring I and II) south of the project site across Camino Vista approximately 50 feet away and residential uses (Village at Los Carneros) west of the project site across South Los Carneros Road approximately 175 feet away. The majority of residences located in the Village at Los Carneros development, adjacent to South Los Carneros Road, are shielded from the project site due to the elevation of the site relative to the South Los Carneros Road. Adjacent industrial uses to the east could be exposed to temporary noise levels up to 89 dBA range during the loudest periods of construction. However, these types of facilities are not considered noise sensitive receptors. Since construction activities would be located within 50 feet of residential uses and noise at these receptors could exceed 89 dBA for a period of up to 36 months, construction activities would result in a substantial increase in ambient noise levels at adjacent noise-sensitive receptors. Therefore, the impact from construction noise would be potentially significant.

In addition to these on-site sources of construction noise, the Project would involve approximately 178,000-cubic yards of cut and 15,500-cubic yards of fill with approximately ~~115,000~~ 92,000-cubic yards of export material, as described in Section 2.3.3. Trucks hauling material to and from the site would be a source of construction noise during this phase, which is anticipated to last up to ~~27~~ 22 weeks as described in Section 2.0, *Project Description*.

As shown in Table 4.10-5, noise from trucks can reach up to 88 dBA Lmax at 50 feet from the source. The only available haul route from the Project site is Camino Vista to Los Carneros to U.S. 101 which would require trucks to pass by the existing Willow Spring I and II sites south of the project site across Camino Vista. The closest residences are approximately 50 feet from the centerline of Camino Vista. Within Willow Springs I and II up to approximately 360 units could be affected by noise associated with soil excavation and hauling. Because hauling trucks would travel on roads directly adjacent to residential units and past sensitive receptors for a period of up to ~~27~~ 22 weeks, resulting in noise levels up to 88 dBA Lmax at the nearest noise-sensitive receptors, soil hauling truck trips would result in a substantial increase in ambient





noise levels at adjacent noise-sensitive receptors. Therefore, the noise impact from soil hauling during construction would be potentially significant. In addition, because on-site construction activities would be up to 89 dBA within 50 feet of the nearest existing residential receptors, overall construction noise impacts would be potentially significant.

**Mitigation Measures.** Construction activity associated with the Project would occur within 50 feet of sensitive receptors and could therefore generate noise that could result in a significant temporary noise conflict at nearby noise-sensitive receptors. Therefore, the mitigation measures N-1(a) through N-1(g) are required to minimize construction-related noise.

**N-1(a) Construction Timing.** Construction activity and equipment maintenance is limited to the hours between 8 AM and 5 PM, Monday through Friday. No construction can occur on State holidays (e.g., Thanksgiving, Labor Day). Non-noise generating construction activities such as interior painting are not subject to these restrictions.

**Plan Requirements and Timing:** At least one sign near each Project site entrance along Camino Vista stating these restrictions must be posted on the site. Signs must be a minimum size of 24" x 48." Signs must be in place before the beginning of and throughout grading and construction activities. Violations may result in suspension of permits.

**Monitoring:** The Planning and Environmental Review Director or designee must monitor compliance with restrictions on construction hours and must promptly investigate and respond to all complaints.

**N-1(b) Electrical Power.** Electrical power must be used to run air compressors and similar power tools.

**Plan Requirements and Timing:** The equipment area with appropriate acoustic shielding must be designated on building and grading plans. Equipment and shielding must remain in the designated location throughout construction activities.

**Monitoring:** The Planning and Environmental Review Director or designee must periodically inspect the site to ensure compliance with all noise attenuation requirements.

**N-1(c) Construction Noise Complaint Line.** The applicant must provide a non-automated telephone number for local residents and employees to call to submit complaints associated with construction noise.

**Plan Requirements and Timing:** The telephone number must be included in the notice required by Measure N-1(a) and posted on the Project site and must be easily viewed from adjacent public areas. Proof of mailing the notices must be provided to the Planning and Environmental Review Director or designee before the City issues a grading permit. At least one sign near each Project site entrance along Camino Vista with the phone number must be posted on-site.



The applicant must inform the Planning and Development Review Director or designee of any complaints within one week of receipt of the complaint. Signs must be in place before beginning of and throughout grading and construction activities. Violations may result in suspension of permits.

**Monitoring:** Building Inspectors and Permit Compliance staff may periodically inspect and respond to complaints.

- N-1(d) Distancing of Vehicles and Equipment.** Noise and groundborne vibration construction activities whose specific location on the Project site may be flexible (e.g., operation of compressors and generators, cement mixing, general truck idling) must be conducted as far as possible from the nearest noise- and vibration-sensitive land uses.

**Plan Requirements and Timing.** The location of vehicles and equipment must be designated on building and grading plans. Equipment and vehicles must remain in the designated location throughout construction activities.

**Monitoring.** The Planning and Environmental Review Director must periodically inspect the site to ensure compliance.

- N-1(e) Avoid Operating Equipment Simultaneously.** Whenever possible, construction activities must be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.

**Plan Requirements and Timing.** The construction schedule and timing of operation of each piece of equipment must be provided by the applicant.

**Monitoring.** Planning and Environmental Review Director or designee must periodically inspect the site to ensure compliance.

- N-1(f) Sound Control Curtains and Acoustical Blankets.** Flexible sound control curtains must be placed around all drilling apparatuses, drill rigs, and jackhammers when in use. Acoustical blankets (or similarly effective temporary noise barriers) must be placed along the southern, western, and eastern Project site boundaries to reduce noise transmission to existing land uses to the south, west, and east, including residential units at the existing Willow Spring I and II sites south of the project site across Camino Vista and residential units at the existing Village at Los Carneros west of the project site across South Los Carneros Road.

**Plan Requirements and Timing.** The equipment area with appropriate sound control curtains and the locations of acoustical blankets must be designated on building and grading plans. Equipment and shielding must remain in the designated location throughout construction activities.

**Monitoring.** Planning and Environmental Review Director or designee must monitor compliance with restrictions on construction hours and must promptly investigate and respond to all complaints.



**N-1(g) Newest Power Construction Equipment.** The Project contractor must use the newest available power construction equipment with standard recommended noise shielding and muffling devices.

**Plan Requirements and Timing.** The equipment with appropriate noise shielding and muffling must be designated on building and grading plans.

**Monitoring.** The Planning and Environmental Review Director or designee must inspect the building and grading plans before the City issues permits and periodically inspect the site to ensure compliance.

**Residual Impact.** Project construction would represent a temporary but prolonged source of noise to sensitive receptors adjacent to the Project site and along the route used by soil hauling trucks, which would impact existing residential units at the existing Willow Spring I and II sites south of the project site across Camino Vista. Mitigation Measures N-1(a) through N-1(g) require implementation of noise reduction devices and techniques during construction, and would reduce the noise levels associated with construction of the Project to the maximum extent feasible. Construction noise would be intermittent and temporary, and implementation of the maximum feasible construction noise reduction measures would reduce construction-related noise to the extent feasible. However, due to the fact that heavy construction equipment would be located as close to 50 feet from existing residential units, and the pre-construction soil hauling activity would result in heavy trucks passing existing residences along Camino Vista for up to ~~27~~ 22 weeks, construction noise impacts would remain significant and unavoidable.

**Impact N-2**      **Project construction activities could cause the generation of excessive groundborne vibration or groundborne noise levels affecting surrounding residential development. However, the expected vibration levels during temporary construction activity would not exceed applicable standards for infrequent vibration events. This impact would be Class III, less than significant [Threshold 2].**

Construction activities that would occur at the Project site have the potential to generate low levels of groundborne vibration. Table 4.10-6 identifies various vibration velocity levels for the types of construction equipment that would operate at the Project site during construction activities.



**Table 4.10-6  
Vibration Levels for Construction Equipment**

Equipment	Approximate VdB		
	25 Feet	50 Feet	100 Feet
Hoe Ram	87	78	69
Large Bulldozer	87	78	69
Caisson Drilling	87	78	69
Loaded Trucks	86	77	68
Jackhammer	79	70	61
Small Bulldozer	58	48	39

*Source: FTA, Transit Noise and Vibration Assessment, May 2006.*

As shown in Table 4.10-6, vibration levels could reach approximately 78 VdB at 50 feet from the Project site boundary. The Project would be adjacent to several general industrial uses, which are located approximately 50 feet east of the Project site. However, these structures do not include uses that would be sensitive to vibration, and vibration levels would not exceed 100 VdB, which is the FTA threshold at which groundborne vibration levels may damage buildings.

The nearest residential uses are located 50 feet south of the Project site. As described above, the FTA groundborne vibration threshold for “infrequent events” (defined as fewer than 30 vibration events of the same kind per day), for residences and buildings where people normally sleep (e.g., the future on-site residences and the residences 50 feet south of the Project site) is 80 VdB. Activity during the construction period would not result in vibration levels that would exceed 80 VdB, and would not be expected to result in vibration levels that would be perceptible at nearby residences in excess of 30 vibration events of the same kind per day. Therefore, impacts associated with groundborne vibration would be less than significant.

**Mitigation Measures.** Mitigation is not required since this impact would be less than significant.

**Residual Impact.** Impacts would be less than significant without mitigation.

**Impact N-3**      **Project-generated traffic would incrementally increase traffic-related noise on study area roadway segments, which would potentially affect existing sensitive receptors on area roadways. However, the project would not result in a substantial temporary or permanent increase in ambient traffic noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance. Therefore, the effect of increased traffic noise would be Class III, less than significant [Threshold 1].**

The Project would generate an estimated 2,205 average daily vehicle trips to and from the site, including 196 AM peak hour trips and 196 PM peak hour trips (refer to Appendix I). These trips would incrementally increase traffic noise on study area roadways. The Project could therefore incrementally increase noise at



neighboring uses, particularly uses located along Los Carneros Road, Camino Vista, Los Carneros Way, and U.S. 101. (Long-term noise impacts to the proposed new residences that would result from the Project are discussed below in Impact N-5.)

Estimated peak hour traffic values from the traffic and circulation study were used to model the change in noise levels resulting from increased traffic on eight traffic intersections. Table 4.10-7 indicates noise levels at the adjacent existing Willow Springs I and II residences to the south, a location at the Project site nearest Los Carneros Road, UPRR, and U.S. 101, and the location of the noise measurement performed by Dudek for this EIR. The noise measurement location was modeled to calibrate the model and ensure accuracy. The peak-hour noise measurement taken was 62 dBA Leq, while the Traffic Noise Model (TNM) for the same location (Roadway 3 in Table 4.10-7) produced a noise level of 62.8 dBA Leq.

As shown in Table 4.10-7, the highest noise level increase due to the Project would be 1.7 dBA under existing plus Project conditions at the existing Willow Springs I and II residential development to the south, which would be primarily affected by increased traffic on Camino Vista. Roadway noise increases associated with new traffic on South Los Carneros Road and U.S. 101 would be less than 1 dBA.

The increase in noise of 1.7 dBA under existing conditions and 1.1 dBA under cumulative conditions would be less than the applicable noise increase threshold of 2.0 dBA shown in Table 4.10-3. The 0.2 dBA noise increase under existing conditions and 0.1 noise increase under cumulative conditions on the Project site would be less than the applicable noise increase threshold of 1.0 dBA at this location. Therefore, impacts related to Project-generated traffic noise would be less than significant.

**Mitigation Measures.** Mitigation is not required since significant traffic noise increases would not occur along any study road segments.

**Residual Impact.** Impacts would be less than significant without mitigation.

**Table 4.10-7**  
**Calculated Exterior Noise Associated with Traffic on Surrounding Roadways During Peak Hour**

Roadway	Projected Noise Level (dBA Leq)				Change In Noise Level (dBA Leq)	
	Existing	Existing + Project	Cumulative	Cumulative + Project	Due to Project Traffic	Due to Project Traffic Under Future Conditions
1. Camino Vista	62.1	63.8	64.1	65.2	1.7	1.1
2. South Los Carneros Road	65.9	66.1	67.4	67.5	0.2	0.1
3. U.S. 101	62.8	62.8	64.6	64.6	0.0	0.0

*Refer to Appendix H for full noise model output. Noise levels presented do not account for attenuation provided by existing barriers or future barriers; therefore, actual noise levels at sensitive receptor locations influenced by study area roadways may in many cases be lower than presented herein.*

*Source: Federal Highway Administration Traffic Noise Model 2.5*



**Impact N-4**      **Operation of the Project would generate noise typically associated with residential development. However, noise would not generate a substantial permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance. Impacts would be Class III, less than significant [Threshold 1].**

The new parking areas on the Project site would bring vehicular activity and associated parking lot noise to the site. These uses would result in increased noise at the industrial uses immediately adjacent to the Project site, and potential on-site noise conflicts between vehicular/parking activity and proposed residential units. Sources of noise would include general vehicular movement, periodic instantaneous sounds such as car honking and car alarms, and conversations. Table 4.10-8 shows exterior noise levels typically associated with parking lots. Noise levels at parking areas on-site could reach 72 dBA at 50 feet from the parking areas when street sweeping occurs, and 69 dBA when car alarms and car horns sound. However, these noise sources are sporadic and not usually anticipated as part of normal parking lot activity in a residential area. Noise levels from normal daily parking lot activity would not exceed 64 dBA.

The Project would require maintenance associated with typical residential uses, such as lawn mowers, leaf blowers, and other landscaping equipment. Use of this outdoor equipment would generally be of short duration, and would not occur on a daily basis (landscaping activities would generally occur weekly or bi-weekly), and would occur during the daytime, when residential land uses are the least noise-sensitive; therefore these activities would not contribute substantially to the overall outdoor noise environment and would not be expected to cause noise levels to exceed 65 dBA CNEL.

**Table 4.10-8  
Parking Lot Noise Sources at 50 Feet**

Source	Level (dBA)
Autos at 14 mph	50
Sweepers	72
Car Alarm Signal	69
Car Alarm Chirp	54
Car Horns	69
Door Slams	64
Talking	36
Radios	64
Tire Squeals	66

*Source: Gordon Bricken & Associates, 1996. Estimates based on noise measurements taken at parking lots.*

The Goleta General Plan Noise Element requires that habitable rooms do not exceed interior noise levels of 45 dBA CNEL. As described in Section 4.10.1(a), standard construction materials and techniques used for residential developments in Southern California normally result in a minimum exterior-to-interior noise attenuation of 15 dBA with windows open and 20 dBA with windows closed. Factoring in this reduction for parking area noise, interior noise levels for residences would not exceed 45 dBA CNEL as long as the City's outdoor 65 dBA CNEL standard is not exceeded. Therefore, this impact would be less than significant.

**Mitigation Measures.** Mitigation is not required because impacts would be less than significant.



**Residual Impact.** Impacts would be less than significant without mitigation.

**c. Noise Levels at On-Site Residences.**

The California Supreme Court in a December 2015 opinion (*BIA v. BAAQMD*) confirmed that CEQA is concerned with the impacts of a project on the environment, not the effects the existing environment may have on a project. Nevertheless, the state of California and City of Goleta have policies that address existing conditions (e.g., ambient noise) affecting a proposed project, addressed below. Noise levels at the proposed on-site residences are presented below for informational purposes and do not constitute a significant impact pursuant to CEQA.

The UPRR borders the Project site to the north. In addition, U.S. 101 is immediately north of the UPRR. Roadways border the Project site to the east and southwest. The Project would locate new residential units as close as 120 feet from the railroad tracks, 300 feet from the centerline of U.S. 101, and within 50 feet from the centerlines of the other adjacent roadways. Therefore, future residents could be exposed to noise produced by passenger and freight trains on the UPRR and from vehicle traffic on the U.S. 101 and surrounding roadways. The Project site is also bordered on the east by existing general industrial development. Future residents could be exposed to noise produced by vehicles, truck loading and unloading, forklifts, HVAC systems, and other mechanical units needed to support ongoing industrial park activities.

As shown in Table 4.10-1, existing long-term noise levels measured on site were 67 dBA CNEL, which exceeds the City of Goleta threshold of 65 dBA for noise-sensitive land uses. These noise measurements were collected during the day during normal operational hours for the adjacent industrial development. Therefore, future residents would be potentially exposed to noise levels above City standards. The Project would also include a masonry wall of approximately eight feet in height along the northern and western Project boundaries. These walls would attenuate noise associated with the U.S. 101 and the UPRR located north of the Project site, as well as industrial development located east of the Project site.

Table 4.10-9 shows estimated noise levels (CNEL) at the proposed residential buildings that would be most affected by noise from roadway and railroad noise (Buildings 4, 5, 7, 8, and 9) with the proposed eight-foot masonry wall. Noise levels calculated for roadways and the UPRR were then combined for an estimate of the overall on-site CNEL. In Table 4.10-9, overall on-site noise levels estimated to exceed the City's exterior standard of 65 dBA are bolded.



**Table 4.10-9  
 Highest Calculated Exterior Sound Levels (Cumulative Plus Project)  
 with Eight-Foot High Wall at Northern and Western Project Boundaries**

Receiver	Roadway and Railroad CNEL With 8' Sound Wall		
	1 <sup>st</sup> floor facade	2 <sup>nd</sup> floor facade	3 <sup>rd</sup> floor façade
Building 1	59	61	--
Building 2	57	60	61
Building 3	59	61	63
Building 4	63	66	--
Building 5	66	69	--
Building 6	66	68	--
Building 8	66	68	71
Building 9	66	69	72
Pool/Recreation Area	60	--	--

*Notes: Only the highest sound levels for each building are shown. Sound levels calculated using Traffic Noise Model Version 2.5.*

*Buildings 7 and 10 are interior buildings and would be shielded by the perimeter buildings. Therefore, noise levels at these buildings were not modeled*

*After public circulation of the Revised Draft EIR in May 2021, the project design was revised and Buildings 8 and 9 shifted southwards by 5 feet and 2 feet, respectively, further from noise associated with the UPRR railroad and U.S. 101. The small shift in distance of on-site sensitive receptors from the off-site noise sources would result in a negligible reduction in the noise levels presented in this table for these two buildings.*

As shown in Table 4.10-9, with the proposed eight-foot masonry wall along the northern site boundary, the overall ground floor exterior combined CNEL associated with roadway and rail noise is estimated at 57 dBA for Building 2 to 66 dBA for Buildings 5, 6, 8, and 9. The second floor CNEL for combined roadway and rail noise is estimated at 60 dBA for Building 2 to 69 dBA at Building 5 and 9. The third floor combined CNEL due to roadway and rail noise is projected to range from 61 dBA at Building 2 to 72 dBA at Building 9.

Overall, exterior levels are projected to exceed the City’s 65 dBA CNEL exterior standard for noise sensitive uses at both the ground floor, second, and third floor of the most affected buildings on-site, including Buildings 4, 5, 6, 8, and 9. Exterior levels at other proposed buildings, which would be located farther from U.S. 101 and the UPRR and would be partially shielded by intervening buildings on the site, would be expected to remain within the 65 dBA CNEL standard. The exterior level at proposed exterior recreational spaces would remain within the acceptable range (up to 70 dBA CNEL) for recreational uses. Nevertheless, throughout the Project site, residents would be subject to periodic elevated noise levels associated with trains passing on the UPRR. In particular, events occurring at night could be disturbing to residents.

As described in Section 4.10.1(a), standard construction materials and techniques used for residential developments in Southern California normally result in a minimum exterior-to-interior noise attenuation of 15 dBA with windows open and 20 dBA with windows closed. Table 4.10-10 shows the estimated interior noise levels (CNEL) compared to the 45 dBA interior standard established by the City of Goleta General Plan Noise Element.





**Table 4.10-10  
Highest Calculated Exterior and Interior Sound Levels (Cumulative Plus Project)  
with Eight-Foot High Wall at Northern and Western Project Boundaries**

Receiver	Roadway and Railroad CNEL With 8' Sound Wall			
	Calculated Interior Noise			Interior Standard Exceeded (45 dBA Leq)
	1 <sup>st</sup> floor facade	2 <sup>nd</sup> floor facade	3 <sup>rd</sup> floor facade	
Building 1	39	41	--	No
Building 2	37	40	41	No
Building 3	39	41	43	No
Building 4	43	<b>46</b>	--	<b>Yes</b>
Building 5	<b>46</b>	<b>49</b>	--	<b>Yes</b>
Building 6	<b>46</b>	<b>48</b>	--	<b>Yes</b>
Building 8	<b>46</b>	<b>48</b>	<b>51</b>	<b>Yes</b>
Building 9	<b>46</b>	<b>49</b>	<b>52</b>	<b>Yes</b>
Pool/Recreation Area	40	-	--	No

*Notes: Only the highest sound levels for each building are shown. Sound levels calculated using Traffic Noise Model Version 2.5.*

*Buildings 7 and 10 are interior buildings and would be shielded by the perimeter buildings. Therefore, noise levels at these buildings were not modeled*

*After public circulation of the Revised Draft EIR in May 2021, the project design was revised and Buildings 8 and 9 shifted southwards by 5 feet and 2 feet, respectively, further from noise associated with the UPRR railroad and U.S. 101. The small shift in distance of on-site sensitive receptors from the off-site noise sources would result in a negligible reduction in the noise levels presented in this table for these two buildings.*

***Bold text** indicates a potentially significant impact.*

With standard construction materials and techniques used for residential developments in Southern California, exterior-to-interior noise levels for Buildings 4 (2<sup>nd</sup> floor), 5 (1<sup>st</sup>, and 2<sup>nd</sup> floors), 6 (1<sup>st</sup>, and 2<sup>nd</sup> floors), 8 (1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> floors) and 9 (1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> floors) would not meet the City's 45 dBA CNEL standard, and would therefore exceed the acceptable interior noise level established in City of Goleta General Plan Noise Element.

As a project-specific condition of approval, noise barriers up to seven feet in height would be provided to reduce traffic and train noise at the residential outdoor living spaces (e.g., patios and balconies) associated with all residential units located in proposed Buildings 4, 5, 6, 8 and 9, facing U.S. 101 and/or the UPRR line. The noise barriers may be constructed of a material such as tempered glass, acrylic glass, or any masonry material with a surface density of at least three pounds per square foot. In addition, as required as a condition of approval, all residential units located in the proposed Buildings 4, 5, 6, 8 and 9 that are facing U.S. 101 and the UPRR rail line to the north and Los Carneros Road to the west would include windows with a minimum Sound Transmission Class (STC) rating of 28 STC, and forced-air mechanical ventilation or air conditioning systems, satisfactory to the local building official, to adequately ventilate the interior space of the units when windows are closed to control noise, and sound rated windows. The applicant would also be required to provide a rail line real-estate disclosure to potential occupants, providing notice of the site's proximity to the UPRR and that associated noise and vibration may be perceptible.

Noise reduction provided by the seven-foot balcony barrier required as a condition of approval was calculated using methodology from the *Handbook of Noise Control*, 2<sup>nd</sup> Ed. (Harris, 1979) and height inputs from the



Dudek Noise Study. As shown below in Table 4.10-11, the required seven-foot barriers would reduce exterior noise levels at all affected balconies and patios to levels below the City’s 65 dBA threshold.

**Table 4.10-11  
 Highest Calculated Exterior Sound Levels (Cumulative Plus Project)  
 with 7’ Barriers at Balconies facing Northern Project Boundaries**

Receiver	Roadway and Railroad CNEL						Exterior Standard Exceeded with Mitigation (65 dBA Leq)
	Exterior Noise			Calculated Reduced Exterior Noise With 7’ Balcony Barrier			
	1 <sup>st</sup> floor facade	2 <sup>nd</sup> floor facade	3 <sup>rd</sup> floor facade	1 <sup>st</sup> floor facade	2 <sup>nd</sup> floor facade	3 <sup>rd</sup> floor facade	
Building 4	63	66	68	52	54	--	No
Building 5	66	69	71	54	55	--	No
Building 6	66	68	71	54	55	--	No
Building 8	66	68	71	54	55	58	No
Building 9	66	69	72	54	56	59	No

*Methodology Source: Harris, C.M. (1979), Handbook of Noise Control, 2nd. Ed. After public circulation of the Revised Draft EIR in May 2021, the project design was revised and Buildings 8 and 9 shifted southwards by 5 feet and 2 feet, respectively, further from noise associated with the UPRR railroad and U.S. 101. The small shift in distance of on-site sensitive receptors from the off-site noise sources would result in a negligible reduction in the noise levels presented in this table for these two buildings.*

**d. Groundborne Noise and Vibration Levels at On-Site Residences.**

The California Supreme Court in a December 2015 opinion (BIA v. BAAQMD) confirmed that CEQA is concerned with the impacts of a project on the environment, not the effects the existing environment may have on a project. Nevertheless, the state of California and City of Goleta have policies that address existing conditions (e.g., ambient vibration) affecting a proposed project, addressed below. Groundborne noise and vibration levels at the proposed on-site residences are presented below for informational purposes and do not constitute a significant impact pursuant to CEQA.

Table 4.10-12 shows the approximate VdB from passenger and freight trains at 30, 50, 100, 200, and 300 feet from the track centerline traveling at 50 miles per hour. The residential units closest to the train tracks would be approximately 105 feet from the track centerline. These are vibration levels at ground floor elevation. Upper level floors would experience less vibration due to dispersion and attenuation of the vibration energy as it propagates through a building. Vibration typically attenuates at a rate of 1 to 2 VdB per floor above ground level. Vibration levels at 105 feet would not exceed 78 VdB, which is below the structural damage threshold of 100 VdB and below the FTA threshold of 80 VdB for infrequent events to residential uses where people normally sleep.

**Table 4.10-12  
 Vibration Levels for Rail Transit**

	Approximate VdB					
	30 Feet	50 Feet	100 Feet	120 Feet	200 Feet	300 Feet
Locomotive Powered Passenger or Freight Train (50 mph)	88	85	78	76	72	67

*Source: FTA, Transit Noise and Vibration Assessment, May 2006.*



**e. Cumulative Impacts.** Table 4.10-7 shows cumulative noise increases along roadways near the Project site due to cumulative traffic growth. Noise level increases along the traffic and circulation study roadway segments near sensitive receptors due to cumulative traffic would range between 0.1 and 1.1 dBA. This increase would not be significant based on the applicable FTA significance thresholds for each roadway/receptor (refer to Table 4.10-4). Therefore, the Project's contribution would not be cumulatively considerable or significant.

Construction and operation of other projects in the vicinity of the Project site would likely generate noise levels in excess of existing measured noise levels and may affect sensitive receptors. As described in Section 2.0, *Project Description*, there is a residential development with 465 residential units west of S. Los Carneros Road and this development may be exposed to construction noise from the Project. However, construction noise would be localized and short-term in nature and would not contribute to cumulative noise impacts. With implementation of Mitigation Measures N-1(a) through N-1(g), cumulative noise impacts would be reduced to a less than significant level.



## 4.11 PUBLIC SERVICES

This section analyzes the Project’s potential impacts to fire and police protection services, public schools, and library facilities. Potential impacts to public parks and recreational facilities are described in Section 4.12, *Recreation*.

### 4.11.1 Setting

**a. Fire Protection.** The Santa Barbara County Fire Protection District (SBCFD) provides fire protection and emergency services in Goleta. The SBCFD was formed in 1957 and is governed by the Fire Protection District Law of 1987 (Health and Safety Code § 13800, *et seq.*). The nearest fire station that serves the Project site is Fire Station 14, located at 320 North Los Carneros Road, approximately ½ mile north of the Project site. The Project site falls within the existing service area of this station. Fire Station 14 houses three full-time personnel per shift including a captain, an engineer, and a firefighter in addition to a Type 1 engine and Type 3 brush truck. Average response time of Station 14 is less than five minutes.

The SBCFD has implemented a dynamic deployment system for its fire engines, in addition to the traditional static deployment system 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 has been the 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 (nonemergency) 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 (SBCFD 2021). This precludes the need for an in-service engine to have extended run times when another fire engine would be closer. The SBCFD has also added a battalion chief as the fourth firefighter on scene, in order to meet the two-in-two-out rule.

**b. Police Protection.** The Santa Barbara County Sheriff’s Office provides police services to the City of Goleta. The Sheriff’s Office enforces the statutes of the State of California and the Goleta Municipal Code. 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 as well as specialized functions provided through the Sheriff’s Office as needed.

The City of Goleta is patrolled by three “beats” or patrol units and one supervisor 24 hours per day. Other full-time (40 hours per week) staff include, one traffic sergeant, three motor officers, one community resource deputy, and one school resource deputy. Officers of the Sheriff’s Office assigned to the unincorporated area of the County are available to supplement Sheriff’s Office units within the City, as needed, for emergency response within the City limits. Sheriff’s Office units within the City operate out of the Goleta Police Department, a storefront in Camino Real Marketplace, and the City Hall (Santa Barbara County Sheriff’s Office 2021).

**c. Public Schools.** The Goleta Union School District (GUSD) and the Santa Barbara Unified School District (SBUSD) provide public school service in Goleta and the remainder of the Goleta Valley. GUSD operates four public schools (Brandon, Ellwood, Kellogg, and La Patera) located within the City and six



other public schools (El Camino, Foothill, Hollister, Isla Vista, Goleta Family School, and Mountain View) located within unincorporated areas of the Goleta Valley.

SBUSD oversees the secondary schools of Dos Pueblos High School and the Goleta Valley Junior High School, situated within Goleta’s boundaries.

The Project site is within the districts of Isla Vista and La Patera Elementary Schools, Goleta Valley Junior High School, and Dos Pueblos High School. Table 4.11-1 shows the most current available enrollment rates, approximate capacities, and percent of capacity utilization for these schools. As indicated, the two elementary schools are currently at 68% and 76% of capacity, Goleta Valley Junior High School is at 61% of capacity, and Dos Pueblos High School is at 77% of capacity.

**Table 4.11-1  
 Current School Enrollment and Capacity**

School	Enrollment (2019-2020)	Capacity	Capacity Utilization
<i>Goleta Union School District (K-6)</i>			
Isla Vista Elementary School	495	724	68%
La Patera Elementary School	394	520	76%
<i>Santa Barbara Unified School District</i>			
Goleta Valley Junior High School	776	1,269	61%
Dos Pueblos High School	2,005	2,592	77%

*Sources: GUSD, 2020; SBUSD, 2021; Education Data Partnership, 2021.*

**d. Library Facilities.** Since July 2018, library services in Goleta have been provided by the City. The Goleta Valley Library is located on a 2-acre site at 500 North Fairview Avenue and includes a 15,437 square foot (SF) building and parking areas. The facility provides services for the City and nearby unincorporated areas, for a service population of 95,202. In fiscal year 2018-2019, library visits totaled 261,316, physical item circulation totaled 605,935, and electronic item circulation totaled 75,610. Services were provided by a staff of 10.88 full-time equivalent (FTE) members (City of Goleta, 2019).

**e. Regulatory Setting.**

State.

*Government Code § 66410, et seq. (Subdivision Map Act).* The Subdivision Map Act sets forth general provisions, procedures, and requirements for the division of land including the provision of public services.

*California Fire Code, as adopted by the Goleta Municipal Code.* Chapter 5 of the 2007 California Fire Code includes requirements for new development regarding access for fire-fighting apparatus and personnel, and fire protection water supplies (fire-flow).

*California Occupational Safety and Health Administration.* The California Occupational Safety and Health Administration (CalOSHA) 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.



Local.

*Goleta General Plan/Coastal Land Use Plan.* The Goleta General Plan identifies three standards with respect to the provision of fire protection services, which are derived from guidelines by the National Fire Protection Association (NFPA) and the SBCFD. These standards include:

- *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;*
- *A ratio of one engine company per 16,000 persons, assuming four firefighters per station, represents the maximum population that the SBCFD determined can be adequately served by a four-person crew; and*
- *A five-minute response time in urban areas.*

In addition, the Goleta General Plan contains policies and objectives regarding the adequacy of public services to serve new developments, including:

- *Policy PF 2: Other Facilities in the City of Goleta*
  - *Objective: To provide a full range of municipal public facilities to meet the need of the Goleta community.*
- *Policy PF 3: Public Safety Services and Facilities*
  - *Objective: Ensure that adequate fire and police services and facilities are available to meet the needs of both existing and new development in the city as well as service demands from outside Goleta's boundaries.*
- *Policy PF5: School Facilities*
  - *Objective: Ensure that adequate public school services and facility capacities are available to meet the long-term needs of both existing and new development in the city as well as service demands from outside Goleta's boundaries*

*Goleta Inland Zoning Ordinance.* The Inland Zoning Ordinance (IZO § 35-317.7(1)(d)), as adopted by the Goleta Municipal Code, includes a requirement for finding of adequate public services to serve new developments, before approval of a preliminary or final development plan.

*SBCFD's Planning and Engineering Development Standards.* In compliance with SBCFD standards, the Project must include defensible space, serviceable access, adequate fire hydrants, adequate building addressing, adequate interior fire sprinkler system, adequate fire or emergency alarm system, and approved locking systems for any gated access ways, among other standard conditions (SBCFD Fire Prevention Division, 2021).

*Development Impact Fees.* In 1986, the State Legislature adopted AB 2926, which authorized school districts to levy development fees and placed a cap on the amount of the fee that could be levied. Since 1986 Legislative actions have alternatively expanded and contracted these initial limits. In addition, AB 1600 (1987) established a requirement that there be a nexus between the amount of the school facility fee and the impact created by new development. SB 50 provided for three tiers of fees based on needs assessment. A fee cap established under these laws, subject to every two-year adjustment for inflation by the State Allocation Board, is the total amount of fees that can be levied for school facilities (Government Code § 65995). Payment of school facilities fees pursuant to California law fully mitigates a project's environmental effects on schools under CEQA. Both the GUSD and the SBUSD require payment of



development fees for providing school facilities to mitigate the impacts of new development on their schools. Special Parcel Fees have also been imposed by the SBUSD. The Project would be required to pay these fees before receipt of building permit or a certificate of occupancy. Accordingly, pursuant to Government Code § 65995, payment of the required GUSD and SBUSD fees would fully mitigate the Project's potential impacts on public schools for purposes of CEQA. On January 1, 2014, the State Allocation Board (SAB) took action to increase developer fees for residential construction. The current maximum Level I fee is \$3.37 per square foot of residential floor area for development projects.

*City of Goleta Library Standards.* The following goals have been established by the City of Goleta for the Goleta Valley Library (City of Goleta, 2021):

- Maintain a circulation of 660,000 items checked out to the public.
- Assist at least 32,000 adults and 8,000 children.
- Provide access to the internet to the public for 19,000 sessions.
- Provide access to the library 7 days a week and for a total of 55 hours open per week.

#### 4.11.2 Impact Analysis

**a. Methodology and Significance Thresholds.** In the absence of thresholds for impacts to fire protection, police protection, and other public services in the City's *Environmental Thresholds and Guidelines Manual*, the checklist items listed in Appendix G of the *CEQA Guidelines* have been used to develop thresholds for the project. Based on the *CEQA Guidelines*, a significant impact related to public services could occur, if the Project would:

*Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services:*

1. *Fire protection?*
2. *Police protection?*
3. *Schools?*
4. *Parks?*
5. *Other public facilities?*

The fire protection criteria in the General Plan, as discussed in the Regulatory Setting, also provide a guideline that is acknowledged in the impact analysis.

The City's *Environmental Thresholds and Guidelines Manual* includes thresholds of significance for potential impacts on area schools. Specifically, under these thresholds any project that would generate enough students to generate the need for an additional classroom using current State standards, would be considered to result in a significant impact on area schools. Current State standards for classroom size are as follows:

- *Grades K – 2: 20 students/classroom*
- *Grades 3 – 8: 29 students/classroom*
- *Grades 9 – 12: 28 students/classroom*



A project's contribution to cumulative school impacts is considered significant if the project specific impact, as described above, is considered significant. As explained above, paying the required District-imposed school impact fees results in full compliance with CEQA. The significance thresholds and potential impacts to parks are described in Section 4.12, *Recreation*, and are not discussed further in this section.

#### **b. Project Impacts and Mitigation Measures**

**Impact PS-1**    **The Project would increase the amount of structural development and the number of residents dependent on fire protection service from the Santa Barbara County Fire Protection District. However, service ratios and response times would remain at acceptable levels. In addition, Fire Protection District requirements would be incorporated into the Project to ensure adequate access to the Project site. Therefore, impacts related to the provision of fire protection services would be Class III, *less than significant [Threshold 1]*.**

The Project involves construction of ten residential buildings with 332 units, two recreational buildings, a maintenance building, and a maintenance/storage building. Based on the average household size of 2.72 persons for market-rate housing (228 units proposed), 2.58 persons for family affordable housing (63 units proposed), and 1.36 persons for senior affordable housing (41 units proposed), the Project would add an estimated 839 new residents (Department of Finance, 2020). According to the 2019 Statistical Summary, SBCFD had 271 personnel on staff, including 68 firefighters, in 2019. The addition of 839 new residents to the existing population of 32,223 would not result in failure of SBCFD to meet the City's minimum service ratio of one firefighter per 2,000 residents. Because the Project would not exceed the City's minimum service ratio, there is no evidence that the Project would result in response times in excess of the five minute response time goal. Fire response times in the City are expected to remain adequate due to the proximity of Station 14 and other fire stations in the southern coastal portion of Santa Barbara County, as well as utilization of the dynamic response system discussed in Section 4.11.1(a) (SBCFD 2021). In the event that Fire Station 14 would require back-up, other available engine companies would respond via static and/or dynamic deployment. In addition, development of the planned Fire Station 10, as identified in General Plan Policies PF 3.2 and PF 3.3, is intended to address deficiencies in fire service and facilities within the City and is likely to be operational by the time the Project is ready for occupancy. This further supports a conclusion that development of the Project would be served efficiently, and fire service would continue to be provided within current standards. The Project would not result in the need of new or expanded facilities to maintain acceptable fire protection service ratios or response times. Therefore, this impact would be less than significant.

**Mitigation Measures.** This impact would be less than significant, and no mitigation would be required.

**Residual Impact.** Impacts would be less than significant without mitigation.





**Impact PS-2**    **The Project would increase the amount of structural development and the number of residents dependent on police protection service from the Santa Barbara County Sheriff's Office. However, the Project would not result in a need for new or expanded police facilities. Therefore, impacts on police protection services would be Class III, less than significant [Threshold 2].**

Based on the City of Goleta General Plan Environmental Impact Report (EIR) prepared in September 2006, the Santa Barbara County Sheriff's Office recommends that additional deputies be assigned to the City at a range of 1:750 to 1:1,070 new residents. The Project would generate approximately 839 new residents within the City. Given the recommended service level for the City, the Project may result in the need for one additional officer. However, the Project would not be expected to result in the need to expand or construct new facilities police facilities that would result in physical impacts on the environment. Therefore, impacts to police protection facilities resulting from the Project would be less than significant.

**Mitigation Measures.** This impact would be less than significant, and no mitigation would be required.

**Residual Impact.** Impacts would be less than significant without mitigation.

**Impact PS-3**    **The Project would increase the number of residents served by GUSD and SBUSD public schools. However, additional residents would not increase school enrollment beyond capacity, and the Project developer would be required to pay school impact fees in accordance with State law. Therefore, impacts to public schools would be Class III, less than significant [Threshold 3].**

The Project would develop 291 multi-family (228 market-rate and 63 family affordable) and 41 senior affordable residential units within the City of Goleta. Using student generation factors of 0.2 students per multi-family unit for GUSD schools, 0.1 students per multi-family unit for GVJHS, and 0.2 students per multi-family unit for DPHS, the Project would generate approximately 145 additional students. The 41 senior residential units are not anticipated to house school-aged children and, thus, would not generate any students. Table 4.11-2 shows projected enrollment increases attributable to the development of the proposed project.

According to Table 4.11-2, the proposed residential development would add 58 students to GUSD and 87 students to the SBUSD schools. The schools which serve the Project site would be able to accommodate the additional students generated by the Project within their existing capacities. Therefore, the Project would not result in the need for new or expanded public school facilities. Payment of the required school impact fees would ensure that impacts to public schools would remain less than significant.



**Table 4.11-2  
Project Induced Student Generation at GUSD and SBUSD Schools**

School	Enrollment (2019-2020)	Capacity	Currently Exceeds Capacity?	Project Generated Students	Exceeds Capacity With Project?
<i>Goleta Union School District (K-6)</i>					
Isla Vista Elementary School	495	724	No	29	No
La Patera Elementary School	394	520	No	29	No
<i>Santa Barbara Unified School District</i>					
Goleta Valley Junior High School	726	1,269	No	29	No
Dos Pueblos High School	2,005	2,592	No	58	No

Sources: Willow Springs II FEIR, City of Goleta, 2012; GUSD, 2020; SBUSD, 2021; Education Data Partnership, 2021.

**Mitigation Measures.** With payment of State-mandated school impact fees, this impact would be less than significant, and no mitigation would be required.

**Residual Impact.** Impacts would be less than significant without mitigation.

**Impact PS-4** The Project would increase the number of residents dependent on library services at the Goleta Valley Library. However, existing facilities would be sufficient to accommodate the increased use and annual circulation. Therefore, impacts to on library services would be Class III, less than significant [Threshold 3].

The Project includes 332 new residential units which would generate approximately 839 new residents within the City and could result in increased use of the Goleta Valley Library. The addition of 839 new residents to the existing City population of 32,223 (Department of Finance, 2020) would result in a total population of approximately 33,062 persons. This increase is not expected to inhibit the City’s goals for the library described in Section 4.11.2(a). The existing library facilities would be sufficient to accommodate increased use and circulation needs that may result from the Project. Therefore, this impact would be less than significant.

**Mitigation Measures.** This impact would be less than significant and no mitigation would be required.

**Residual Impact.** Impacts would be less than significant without mitigation.

**c. Cumulative Impacts.** Cumulative development in the City of Goleta would add 516 residential units and approximately 726,444 square feet of commercial and retail space (refer to Tables 3-1 and 3-2 in Section 3.0, *Related Projects*). In addition, cumulative development in non-City areas in the Goleta vicinity would add 225 housing units and approximately 55,779 square feet of commercial and industrial space. Cumulative development in the City and the vicinity, which is under various stages of construction and approval, would increase demand for public services.

**Fire Protection.** Development of the planned Fire Station 10, as identified in General Plan Policies PF 3.2 and PF 3.3, is intended to address deficiencies in fire service and facilities within the City, which



could result from cumulative development. A Final Environmental Impact Report (Final EIR) was prepared and certified for Fire Station 10 by the City Council in December 2018. The planned Fire Station 10 project would ensure that cumulative development in the western end of the City would be served efficiently and service to existing customers would continue to be provided within current standards. Furthermore, development of the Project would not cause fire protection service ratios or response times to reach unacceptable levels and SBCFD requirements would be incorporated into the Project to ensure adequate access to the Project site. Therefore, the Project would not require new or altered fire facilities, and would not contribute to a significant cumulative impact.

Police Protection. According to the Santa Barbara County Sheriff's Office, cumulative development throughout the City is placing increased pressure on the Office's current personnel and facilities. Increasing the service demand of the Sheriff's Office may result in increased response times that would require additional staff, and which eventually may result in the need for new or expanded facilities (Santa Barbara County Sheriff's Office 2021). Any new or expanded police facilities would be subject to project-specific CEQA environmental review. As part of the environmental review, mitigation measures would be identified to avoid, minimize, or reduce any identified environmental effects of new or expanded facilities.

The Project would add an estimated 839 new city resident's dependent on police protection service from the Santa Barbara County Sheriff's Office. While the increase in demand may require one additional deputy, this increase in demand and one staff person would not result in the need for new or expanded facilities. The Project developer also would be required to comply with Policy PF 10.2, which requires new development to pay a proportionate share of the costs of new or upgraded capital facilities attributable to new development, including sufficient funding for environmental compliance and permitting. Therefore, the Project's contribution to cumulative impacts to police protection services would be less than significant.

Public Schools. Residential development in the area under cumulative conditions would add 516 residential units to the city. Using student generation factors of 0.2 students per unit for GUSD schools, 0.1 students per for GVJHS, and 0.2 students per for DPHS, cumulative development could generate 103 new students dependent on GUSD schools, 103 new students dependent on GVJHS schools, and 155 new students dependent on SBUSD schools. The additional students generated by cumulative development in combination with students generated by the Project could be served within the existing capacity of these schools. Therefore, cumulative impacts to schools would be less than significant.

Library Facilities. Cumulative development planned for the City includes 516 new residential units which would increase the population within the City and increase demand on public library services which may require new or expanded facilities. New or expanded library facilities would be subject to project-specific CEQA environmental review. As part of the environmental review, mitigation measures would be identified to avoid, minimize, or reduce any identified environmental effects of the new or expanded facilities. The Project would generate 839 new residents within the City which would increase the use of the Goleta Valley Library. However, existing facilities would be sufficient to accommodate the increased use and annual circulation as a result of the Project. The Project developer also would be required to pay DIFs, as described in Policy PF 10.2 of the General Plan, which would provide funding for expanded library facilities to accommodate new residents, including environmental compliance and permitting for new facilities. Therefore, the Project's to cumulative impacts to library facilities would be less than significant.



## 4.12 RECREATION

This section describes existing recreational facilities in the vicinity of the Project site and the potential impacts of the Project related to recreation.

### 4.12.1 Setting

**a. Existing Park and Recreation Facilities.** The City of Goleta currently operates 16 City Parks and ~~14~~ 8 open spaces, totaling approximately ~~515~~ 482 acres throughout the City (City of Goleta, 2021). This equates to approximately ~~16~~ 15.7 acres per 1,000 residents (based on ~~2015~~ 2020 total population of ~~30,765~~ 32,223 [Department of Finance, ~~2015~~ 2020]). According to the Goleta General Plan, three City-owned regional open space preserves – Sperling Preserve, Santa Barbara Shores Park, and Lake Los Carneros Natural and Historical Preserve – collectively account for 363 acres of the City’s total open space acreage. In addition to park and open space areas, approximately 40 percent of Goleta’s two miles of Pacific shoreline is in City ownership. Furthermore, hiking trails and recreational areas in the Los Padres National Forest are located within a few miles of the City.

The City’s parks, open space areas, and shoreline provide opportunities for passive recreational activities and enjoyment of natural areas. However, these passive recreational areas do not provide facilities that address the City’s active recreational needs. The term “passive recreation” refers to activities that do not require prepared facilities like sports fields or pavilions, while “active recreation” consists of structured individual or team activities that require the use of special facilities, courses, fields, or equipment. According to the City of Goleta General Plan, neighborhood open space areas and natural preserves provide many opportunities for passive recreation activities and enjoyment of natural areas. The Goleta General Plan identifies approximately 90 acres of existing active recreation. However, the City determined there was a lack of abundance of areas specifically developed for active recreational uses, with about ~~3~~ 2.8 acres of land per 1,000 residents. As identified in the General Plan, additional active parks were an important community need. The General Plan also determined that the City’s single recreation center, the Goleta Valley Community Center, does not provide sufficient active recreation space to fulfill all of the combined needs of community groups and residents. Although the privately owned and managed Girsh Park provides facilities for active recreation, there remains a shortage of public facilities for active recreation such as sports fields, tennis courts, swimming pools, and dedicated trails (Goleta General Plan/Coastal Land Use Plan, 2006).

Parks in the vicinity of the Project site include Willow Springs Open Space and Lake Los Carneros Natural and Historic Preserve. The park closest to the Project site is Willow Springs Open Space. The 2.37-acre park is located just southeast of the Project site boundary, across Camino Vista. The approximately 140-acre Lake Los Carneros Natural and Historic Preserve provides predominantly passive open space, as well as the historic Stow House Museum and is located approximately 500 feet north of the Project site boundary, across U.S. 101 and Calle Real.

~~The locations of existing parks and open space within the City are shown in Figure 4.12-1. Planned and recently completed parks in the City are listed in Table 4.12-1. All of the planned and recently completed parks listed in Table 4.12-1 would include active recreation components, with a potential total acreage of approximately 9 to 12~~ 11 acres.



**Table 4.12-1  
 Planned and Recently Completed Active Parks**

Park Name	Park Type	Acres	Description
Hollister/Kellogg Park <sup>1</sup>	Neighborhood Park	4.0	Active recreation park located between Kellogg Avenue and San Jose Creek to the north of Hollister Avenue
Willow Springs Park	Neighborhood Park	2.0– <del>3.0</del>	Active recreation park located on Camino Vista adjacent to the Phase II of the Willow Springs Apartments (part of the proposed Project)
Village at Los Carneros Park <sup>2</sup>	Neighborhood Park	<del>3.0</del> – 5.0	Active recreation park located on Castillian Drive near Village at Los Carneros Project
<b>Total</b>		<b><del>9.0–12.0</del> 11.0</b>	

Source: City of Goleta General Plan/Coastal Land Use Plan Open Space Element Figure 3-2.

<sup>1</sup>The Jonny D. Wallis Neighborhood Park was completed in 2019

<sup>2</sup>The Village at Los Carneros Park was completed in 2018

**b. Regulatory Setting.**

Quimby Act (1975). The Quimby Act (California Government Code §66477) is intended to require developers to help mitigate the impacts of growth on park facilities. It gives the legislative body of a City or County the authority, by ordinance, to require the dedication of land or payment of in-lieu fees, or a combination of both, for park and recreational purposes as a condition of approval of a tract map or parcel map.

Goleta Municipal Code Chapter 16.14 – Park and Recreation Dedication and Fees. Based on the authority vested in the City by the Quimby Act, Chapter 16.14 of the Goleta Municipal Code requires new development and subdivisions within the City to mitigate their park and recreation facility impacts by constructing, or financing the construction of, the park and recreation facilities needed to serve their projects. Section 16.14.010 of the Goleta Municipal Code requires dedication of 0.0128 acres of property per dwelling unit to neighborhood and community park and recreational purposes, exclusive of and in addition to school lands used cooperatively for recreational purposes. This requirement is intended to meet the City’s existing Quimby Act park-to-population ratio of 4.7 acres of parkland per 1,000 residents. In lieu of dedicating parkland, a developer may pay a fee for the purpose of developing new or rehabilitating existing park or recreation facilities. The City’s Park and Recreation fee is based on the number of multi-family dwelling units proposed and is updated periodically.

City of Goleta General Plan, Open Space Element. The Open Space Element includes goals, policies, and actions intended to achieve the City’s vision for open space, parks, and recreation facilities that are accessible to all members of the community. This includes a commitment to seek to increase the amount of active parks, emphasizing those areas of the community that were relatively underserved as of 2005 and areas designated for future new residential development. Open Space Element Figure 3-2 indicates the location of existing and planned public parks. Policy OS 6 ensures that new parks and recreational services for the public are provided concurrent with new development. Its stated objective is to ensure the development of a well-maintained, interconnected system of multi-functional parks, recreation facilities, and public open spaces that will meet the needs of existing and future residents and employees and that are attractive, safe, and accessible to all segments of the City’s population, and supportive of established neighborhoods. Policies that would apply to the Project include:



- *Policy OS 9-2: Mitigation of Impacts of New Development on Parks and Recreation Facilities.*
- *Policy OS 9.3: Alternatives to Impact Fees.*

#### 4.12.2 Impact Analysis

**a. Methodology and Significance Thresholds.** The City has not adopted specific thresholds regarding impacts involving recreational facilities, but strives to maintain a ratio of 4.7 acres of parkland per 1,000 residents. Therefore, impacts may be significant if a project causes the City to contain less than 4.7 acres of parkland per 1,000 residents, such that new facilities would need to be developed. Furthermore, in accordance with Appendix G of the *CEQA Guidelines*, impacts would be significant if:

1. *The Project would increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.*
2. *The Project would include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse effect on the environment.*

#### **b. Project Impacts and Mitigation Measures.**

**Impact REC-1** The Project would accommodate an estimated ~~776~~ 839 residents, resulting in an increase in parkland demand of ~~4.6~~ 4.25 acres. The Project would provide two private recreational facilities (clubhouse and pool for each development area) and a two-acre public park, which would partially address the increase in demand for park and recreation facilities. As part of Project approval, City-required mitigation fees would be paid to offset the increased demand for parkland. Impacts related to recreation would be Class III, *less than significant [Threshold 1 and Threshold 2]*.

Based on an average household size of ~~2.76~~2.72 persons for ~~workforce-market-rate~~ housing (228 units proposed), 2.58 persons for family affordable housing (63 units proposed), and ~~1.11~~1.36 persons for senior housing (~~132~~ 41 units proposed), the Project would add an estimated ~~776~~ 839 new residents (Department of Finance, 2020; Towbes Group, 2014; Housing Authority of the County of Santa Barbara, 2020; Department of Finance, 2015). This would represent a ~~2.65~~ percent increase in the City's population, which would result in a corresponding increase in demand for recreational facilities and open space. Absent development of new active park space, the anticipated ~~776~~ 839 new residents would reduce the per person park space level in the City to ~~2.79~~ acres per resident.

As discussed in the *Setting*, for new developments and subdivisions that increase recreational demand, Chapter 16.14 of the Goleta Municipal Code requires a dedication of 0.0128 acres per dwelling unit to neighborhood and community park and recreation purposes. Based on this ratio, the Project must devote ~~4.61~~ 4.25 acres to park and recreation purposes. Alternatively, when filing a tentative map application for approvals, the applicant may choose to pay the City an in-lieu fee.

The Project includes a two-acre public park that would be developed onsite and would include an activity trail, benches, barbecue area, picnic tables bicycle parking, level turf play area, and native



landscaping. This park would not create any significant environmental impacts and would partially offset impacts of the population increase generated from the Project. In addition to the proposed park, private recreational facilities would be provided as part of the Project for residents of the development and would consist of a clubhouse and pool for each development area. As these private recreational facilities would not be available for public use, they do not count toward the required dedication of park and recreational facilities for neighborhood or community use. However, pursuant to Chapter 16.14 of the Goleta Municipal Code, the provision of private developed parkland within common open space can be credited towards offsetting public parkland impacts in the form of reduced in-lieu fees. The credit toward in-lieu fees may not exceed 50 percent.

The City has an abundance of passive open space opportunities. The Project would increase demands on the capacity of existing regional and neighborhood open space areas with passive recreational opportunities, such as the Ellwood/Sperling Preserve and Lake Los Carneros Natural and Historic Preserve which collectively account for 363 acres of the City's total open space acreage. With the Project's additional ~~776~~ 839 new residents in the City, there would be approximately 11.5 acres of these open space areas per 1,000 residents. Therefore, the City's supply of such areas is sufficient to meet the demand generated by the Project. Therefore, the Project's impacts on passive open space recreation would be less than significant.

The increase in demand for active recreational facilities from future residents on the Project site would exacerbate the City's existing deficiency in parkland with active recreational amenities (described in detail in Section 4.12.1[a], above). Thus, the Project could further contribute to deterioration, or accelerate deterioration, of the City's existing inventory of active recreational facilities. Nevertheless, Chapter 16.14 of the Goleta Municipal Code would require the applicant to pay in-lieu parks and recreation fees upon the approval of the final subdivision map and development project and prior to the issuance of land use permits, which would be used to fund public park and recreational facilities. The amount of fee required in lieu of land dedication is based on the fee schedule in effect when the applicant applies for land use clearance for the subdivision. With payment of these fees, the Project would comply with City requirements related to provision of park facilities. The Project would not cause the physical deterioration of existing parks or create the need for new parks or recreational facilities beyond those proposed onsite and currently planned by the City. Therefore, the Project's impact on recreational facilities would be less than significant.

**Mitigation Measures.** The Project's impact on recreational facilities would be less than significant, and no mitigation would be required.

**Residual Impact.** Impacts would be less than significant without mitigation.

**c. Cumulative Impacts.** Residential growth throughout the City would result in increased demand for recreational facilities. According to the City's ~~February 2015~~ January 2021 list of cumulative projects (~~current as of the release of the Notice of Preparation~~), a total increase of ~~1,344~~ 741 residential units are pending review, have been approved, or are under construction in Goleta. As required by Chapter 16.14 of the Goleta Municipal Code, new residential developments within the City must dedicate 0.0128 acres per dwelling unit to parks and recreation, or else pay in-lieu fees toward the future development of such facilities. Thus, cumulative development in the City would generate demand for approximately ~~179.5~~ 9.5 acres of recreational facilities.



The Goleta General Plan identifies approximately 90 acres of existing active recreation, which translates to approximately ~~32.8~~ acres per 1,000 residents. Several ~~of the planned and recently completed~~ park facilities, as shown in Table 4.12-1, ~~would also~~ provide space for active recreation. ~~If fully developed, these planned and recently completed parks would provide an additional 12.11 acres, bringing the total active recreation area to 101.7101 acres.~~ With the addition of approximately ~~3,709,016~~ City of Goleta residents upon development of cumulative projects (~~7411,344~~ residences x ~~2.762.72~~ persons per residence), the available active recreation ratio would be approximately 3 acres per 1,000 residents. This would be ~~equivalent slightly greater than~~ the current ~~32.8~~ acres per 1,000 residents, ~~but and~~ falls short of the City's adopted goal of providing 4.7 acres of parkland per thousand residents. The Project's population would contribute to this existing cumulative impact. However, the proposed onsite facilities and required payment of park and recreation fees required by Goleta Municipal Code Chapter 16.14 would be used to fund public park facilities that would meet the incremental demand for recreational facilities created by the Project. With the required payment of in-lieu parks and recreation fees, the Project's incremental contribution to this cumulative impact would be less than significant.





*This page intentionally left blank.*



## 4.13 TRANSPORTATION/CIRCULATION

This section analyzes impacts to the local transportation and circulation system, including long-term impacts associated with operation of the Project. The analysis is based primarily on the *Updated Traffic and Circulation Study* dated March 2021 and the *VMT Calculations* dated April 2021 prepared by Associated Traffic Engineers (ATE) for the Project. These reports are included in Appendix I.

Since circulation of the Draft EIR in June 2016, Section 15064.3 was added to the State California Environmental Quality Act (CEQA) Guidelines requiring transportation impact analysis be based on Vehicle Miles Traveled (VMT), instead of a congestion metric (such as level of service [LOS]). Additionally, a project's effect on automobile delay no longer constitutes a significant environmental impact, as previously required. Therefore, as required by CEQA, the LOS impact analysis from the June 2016 Draft EIR was replaced by an analysis of VMT in this section. Please refer to Section 4.9, Land Use for a discussion of the Project's consistency with the City's General Plan policies related to LOS.

### 4.13.1 Setting

The Project site is located on the east side of South Los Carneros Road north of the Calle Koral intersection in the western area of the City of Goleta. The 17.36-gross acre site is currently vacant and undeveloped. There is no structural development on site; however, there are pieces of construction equipment and containers stored on site, as well as approximately 293,000 cubic yards of stockpiled soil.

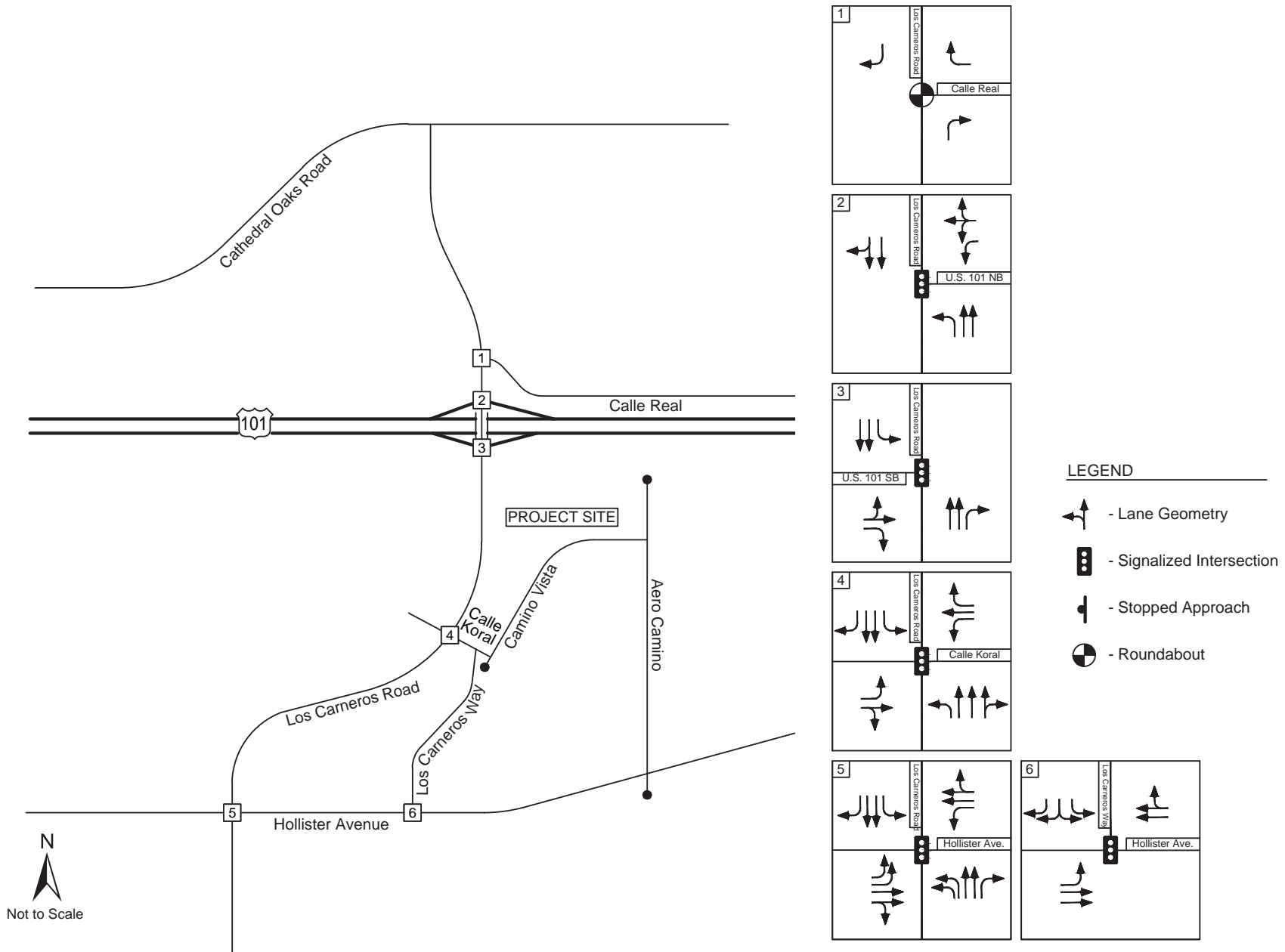
**a. Existing Street System.** Primary regional access to the study area is provided by U.S. 101 via Los Carneros Road. U.S. 101 generally runs in a north-south direction throughout California; however, in the Santa Barbara County area, it runs in an east-west direction. The circulation system in the study area is comprised of regional highways, arterial roadways and residential streets. The principal components of this street network are discussed in the following text and shown in relation to the Project site in Figure 4.13-1.

U.S. Highway 101 (U.S. 101), located north of the Project site, is a multi-lane interstate highway serving the Pacific Coast between Los Angeles and the state of Washington. This freeway is the principal route between the City of Goleta and the adjacent cities of Santa Barbara, Carpinteria, and Ventura to the south; and the cities of Buellton and Santa Maria to the north. Access to U.S. 101 would be provided via the Los Carneros Road interchange.

Hollister Avenue, located south of the Project site, is an arterial roadway that serves as the main east-west surface street through the community of Goleta. Hollister Avenue is a 4-lane divided arterial with on-street bike lanes. Within the Study Area, Hollister Avenue is signalized at Los Carneros Road, Los Carneros Way, and Aero Camino intersections.

Los Carneros Road, located west of the Project site, is a north-south arterial street. North of Hollister Avenue, Los Carneros Road extends as 4- to 5-lane roadway connecting with the U.S. 101 interchange and continues north as a 2-lane roadway to its terminus at Cathedral Oaks Road. Los Carneros Road has recently been widened to 4-lanes south of Hollister Avenue to Discovery Drive. South of Discovery Drive, Los Carneros Road continues as a 2-lane roadway and provides access to the Isla Vista-UCSB area. Within the study area, Los Carneros Road is signalized at the U.S. 101 Northbound Ramp, Southbound Ramp, Calle Koral, and Hollister Avenue intersections.





Source: Associated Transportation Engineers, 2021.

Intersection Lane Geometry and Traffic Controls

Figure 4.13-1

Los Carneros Way is a 2-lane road located south of the Project site that extends between Calle Koral and Hollister Avenue. Los Carneros Way is stop controlled at the Calle Koral intersection, and the Hollister Avenue/Los Carneros Way intersection is controlled by traffic signals.

Calle Koral, located southwest of the Project site, is a 2-lane road that extends from Los Carneros Road to Camino Vista. The Calle Koral/Los Carneros Road intersection is controlled by traffic signals and the Calle Koral/Camino Vista intersection is uncontrolled.

Aero Camino, located east of the Project site, is a 2-lane road that serves the existing industrial land uses and extends north from Hollister Avenue to its terminus south of U.S. 101. The Hollister Avenue/Aero Camino intersection is controlled by traffic signals.

Camino Vista, located along the southern frontage of the Project site, is a 2-lane road that extends easterly from Calle Koral serving the Willow Springs I and Willow Springs II apartment complexes. The segment of Camino Vista between the Willow Springs II apartments and Aero Camino has recently been constructed as part of the Willow Springs II development and is now open for public travel.

Recently Constructed Improvements. In April 2015, the City of Goleta finished replacing the Los Carneros Road bridge over the Union Pacific Railroad adjacent to the U.S. 101 interchange. The new bridge includes a dedicated right-turn lane for the northbound approach of Los Carneros Road to the U.S. 101 Southbound On-Ramp and two travel lanes in both directions. The right-turn lane extends northerly from Calle Koral to the U.S. 101 Southbound On-Ramp. Los Carneros Road was also widened south of the Calle Koral intersection to provide three northbound travel lanes. The Project also installed Class II bike lanes on Los Carneros Road in both directions.

The segment of Camino Vista between Calle Koral and Aero Camino was constructed as part of the Willow Springs II development in 2013. This new roadway segment is now open for public travel and provides a new travel route from the Aero Camino corridor to the Los Carneros Road interchange.

**b. Existing Traffic Volumes.** The following sections present the existing peak hour traffic volumes at intersections in the study area and the existing average daily traffic (ADT) volumes for the street segments.

Existing roadway volumes were obtained from counts conducted by the City in 2019 (refer to Appendix I). The operational characteristics of the study area roadways were analyzed based on the City of Goleta engineering roadway design capacities. Table 4.13-1 shows the existing ADT volumes and the City's Acceptable Capacity ratings for Los Carneros Road south of Calle Koral. The data in Table 4.13-1 show the existing (2019) roadway volumes on the study area roadway segments. Based on this data, these roadways carry volume within the City's Acceptable Capacity designations.

**Table 4.13-1  
 Existing Roadway Operations**

Roadway Segment	Roadway Classification	Geometry	Acceptable Capacity	Existing ADT
Los Carneros Road south of Calle Koral	Major Arterial	5-Lane	34,000	23,500

(a) Roadway recently widened to 5-lanes between U.S. 101 and Calle Koral.

(b) Roadway recently widened to 4-lanes between Hollister Avenue and Discovery Drive.



**c. Existing Transit System and Bicycle Infrastructure.** The Santa Barbara Metropolitan Transit District (MTD) provides local bus service for the region. The nearest bus stops to the Project site are located on Hollister Avenue at the Aero Camino intersection (approximately 0.3 miles south of the Project site). The existing bus stops are served by MTD Lines 6 and 12x, which provide transit service to/from downtown Santa Barbara to the Old Town Goleta and Camino Real Marketplace areas. Data published on the MTD website indicate that from July 2019 to December 2019, Line 6 carried an average of 29.6 passengers per operating hour, which is slightly below the system wide average of 29.9 passengers per operating hour, and Line 12x carried an average of 25.4 passengers per operating hour, which is also below the system wide average. The data also shows that, between July 2019 to December 2019, Line 6 experienced 90 “at capacity” loads and 34 “too full to board” loads. During that same time period, Line 12x experienced 18 “at capacity” loads and 50 “too full to board” loads (MTD 2019). Census data collected in 2010 show that 5% of commuters in the Goleta area utilize public transportation. As of December 2020, ridership had decreased by 58.2% due to the COVID-19 pandemic, compared to pre-pandemic ridership in December 2019. At this time, it is unknown if post-pandemic ridership and bus routes will return to pre-pandemic levels (MTD, 2020).

Class II bicycle lanes are currently provided along both sides of Camino Vista adjacent to the Project site. The Camino Vista bicycle lanes connect to the existing Class II bicycle lanes provided on Calle Koral, Los Carneros Road, and Hollister Avenue. Census data collected in 2010 show that 6% of commuters in the Goleta travel to work on bicycles.

#### 4.13.2 Impact Analysis

- a. Methodology and Significance Thresholds.** This section describes how the potential for Project-generated traffic impacts were determined.

Vehicle Miles Traveled (VMT). Adopted in 2013, Senate Bill (SB) 743 required the Governor’s Office of Planning and Research (OPR) to develop new CEQA guidelines that address transportation impact metrics under CEQA. Section 15064.3 was added to the State CEQA Guidelines requiring transportation impact analysis be based on VMT, instead of a congestion metric (such as LOS) and stating that a project’s effect on automobile delay shall not constitute a significant environmental impact, as previously required. In December 2018, OPR published a *Technical Advisory on Evaluating Transportation Impacts*, including guidance for VMT analysis (OPR 2018). The Office of Administrative Law approved the updated CEQA Guidelines and lead agencies were given until July 1, 2020 to implement the updated guidelines for VMT analysis.

On July 7, 2020, pursuant to the requirements of SB 743, the City adopted *Guidelines for the Implementation of Vehicle Miles Traveled, including Vehicle Miles Traveled Thresholds of Significance* (Resolution 20-44). Consistent with SB 743 and OPR guidance, the City adopted the following standards and VMT Criteria:

##### **VMT Baseline**

Project impacts related to VMT shall be measured against the following criteria:

- Residential Projects: City Average VMT Per Capita
- Work Projects: City Average VMT Per Employee
- Other Projects: Net City VMT



### **Thresholds of Significance**

The level of VMT which is considered a potentially significant impact is as follows:

- Residential and Work Projects: 15% Below City Average
- Other Projects: Net Increase in City VMT

The screening process outlined in the City's VMT guidelines was applied to analyze impacts related to VMT. The City screening criteria includes conditions for which projects, at the City's discretion, may not be required to conduct a VMT analysis and may be presumed to have a less than significant impact. The screening criteria include:

1. **Small Project:** Projects that generate less than 110 daily trips
2. **Map Based:** High efficiency VMT zones for Residential and Work Base Projects
3. **Transit Proximity:** Projects within ½ mile of transit stops with 15 minutes service, excluding areas within that ½ mile distance that cross Highway 101
4. **Affordable Housing:** Housing projects with a minimum of 20% "low" or "very low" affordable housing unit proportion
5. **Locally Serving Retail:** Retail projects of less than 10,000 square feet, where there is substantial evidence to support that the retail project is locally serving.

Level of Service (LOS). Although LOS no longer constitutes a significant environmental effect under CEQA, some jurisdictions haven chosen to retain LOS standards as General Plan policies. An analysis of LOS is still required under Policy TE-4 of the City's General Plan as part of the project planning and approval process. The objective of Policy TE-4 is to maintain an adequate LOS on the City street system, including at intersections, to provide for the mobility needs of the community and to avoid further degradation of LOS at intersections where existing service levels do not meet target standards. Therefore, the City requires an analysis of LOS for the project as part of the project planning and approval process. However, LOS is no longer a significant environmental effect under CEQA and has therefore been replaced with a discussion of VMT in this section.

Project-Generated Traffic Projections. Trip generation estimates were calculated for the Project using the rates contained in the Institute of Transportation Engineers (ITE) Trip Generation Manual 10th Edition and traffic counts conducted at the existing Willow Springs I apartment complex, located just south of the Project site (refer to Appendix I). The driveway counts conducted at the existing Willow Springs I apartments better reflect local data and are slightly higher than the ITE average rates for the market-rate apartment units. For the market rate and affordable apartments, the analysis uses the ITE Multifamily Housing rates (ITE Land Use Code #220) to calculate average daily trips. However, the rate for affordable apartments was adjusted by 71 percent to account for the affordable housing designation. For the senior affordable apartments, the trip generation analysis is based on the ITE rates for Senior Adult Housing (ITE Land Use Code #252), adjusted by 71 percent to account for the affordable housing designation.

Table 4.13-2 presents the trip generation estimates for the Project. As shown in Table 4.13-2, the Project would generate an estimated 2,205 average daily trips, 196 A.M. peak hour trips, and 196 P.M. peak hour trips.



**Table 4.13-2  
Project Trip Generation**

Land Use	Size	Average Daily		A.M. Peak Hour		P.M. Peak Hour	
		Rate	Trips	Rate	Trips	Rate	Trips
Market-rate Apartments <sup>a</sup>	228 units	7.32	1,669	0.65	148	0.66	150
Affordable Apartments <sup>b</sup>	63 units	5.20	328	0.46	29	0.47	30
Affordable Senior Apartments <sup>c</sup>	41 units	2.63	108	0.14	6	0.18	7
Public Park	2 acres	50.00	100	6.50	13	4.5	9
<b>Totals</b>	<b>332 units 2-acre park</b>		<b>2,205</b>		<b>196</b>		<b>196</b>

(a) ADT rate based on ITE average rate for Multi-Family Housing, A.M. and P.M. rates based on Willow Springs I study.

(b) ADT rate based on ITE average rate for Multi-Family Housing, A.M. and P.M. rates based on Willow Springs I study. Rates adjusted by 71 percent to account for the affordable housing designation.

(c) ADT rates based on ITE rates for Senior Adult Housing, adjusted by 71 percent to account for the affordable housing designation

Significance Thresholds. Based on Appendix G of the *CEQA Guidelines*, a significant impact related to transportation could occur under the following scenarios:

1. *Would the project conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycles and pedestrian facilities?*
2. *Would the project conflict or be inconsistent with CEQA Guidelines Section 15063.3, subdivision (b)?*
3. *Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*
4. *Would the project result in inadequate emergency access?*

Impacts associated with design hazards and emergency access, which are addressed in CEQA Appendix G Thresholds 3 and 4 were determined to be less than significant, and are discussed in Section 4.17, *Effects Found Not to be Significant*.

**b. Project Impacts and Mitigation Measures.**

**Impact T-1**     **The Project would generate additional demand for public transit services and alternative transportation infrastructure. The Project would not substantially increase transit ridership or impact the operations of bicycle facilities in the Project site vicinity. Impacts related to conflict with alternative transportation program plan, ordinances or policies would be Class III, less than significant [Threshold 1].**

The Project would generate an estimated 839 residents, which would increase demand for alternative transportation facilities.

Transit. Census data collected in 2010 show that 5% of commuters in the Goleta area utilize public transportation. Therefore, the Project would result in approximately 11 new transit users during the peak periods (7:00 to 9:00 A.M. and 4:00 to 6:00 P.M.). There are currently 22 busses that serve the



site during the weekday peak hour periods; thus, the Project would add less than 1 rider per bus.<sup>1</sup> The new bus riders generated by the Project would not measurably impact the operations of the transit routes that serve the site. Therefore, impacts related to transit would be less than significant.

**Bicycling.** The Project would result in approximately 14 new bicycle riders that would commute during the peak hour periods. The Project would facilitate bicycle riding among site residents by providing a bicycle parking area at each residential building and the recreational building with a total of approximately 120 bicycle parking spaces. The increase in bicycle ridership generated by the Project would not measurably impact the operations of the bicycle facilities in the vicinity of the Project site. Therefore, impacts related to bicycling and bicycling infrastructure would be less than significant.

**Mitigation Measures.** Mitigation is not required because impacts would be less than significant.

**Residual Impact.** Impacts would be less than significant without mitigation.

**Impact T-2**     **The project would generate vehicle miles traveled (VMT). However, the project meets the City’s VMT screening criteria threshold for affordable housing. Impacts related to conflict or inconsistency with CEQA Guidelines Section 15063.3, subdivision (b) would be Class III, less than significant [Threshold 2].**

The Project would generate 12,809 VMT daily and 4,675,285 VMT annually (Appendix I). This equates to a per capita daily VMT of 15.27. The City’s *Guidelines for the Implementation of Vehicle Miles Traveled, including Vehicle Miles Traveled Thresholds of Significance* (Resolution 20-44) includes screening criteria for land use projects that are presumed to have a less than significant impact on VMT. As discussed in the *Guidelines for the Implementation of Vehicle Miles Traveled, including Vehicle Miles Traveled Thresholds of Significance*, affordable housing in infill locations generally improves the City’s job-housing balance, shortening commutes and reducing VMT. Affordable housing has a higher composition of non-workforce residents, which generates fewer trips. As such, the City has adopted the following affordable housing VMT screening criteria threshold:

- Housing projects with a minimum of 20% low and/or very low affordable deed-restricted housing units are presumed to be less than significant

The proposed Project includes 41 affordable senior units and 63 affordable apartment units, which is 31.3% of the total apartment units. Therefore, the Project meets the City’s VMT screening criteria threshold for affordable housing and VMT impacts would be less than significant. In addition, the Project’s per capita VMT is 15.27, which is 22.9 percent below the City’s average per capita VMT of 19.8 for residential uses. For these reasons, potential VMT impacts would be less than significant.

**Mitigation Measure.** Mitigation is not required because this impact would be less than significant.

**Residual Impact.** Impacts would be less than significant without mitigation.

**c. Cumulative Impacts.** Based on technical guidance from the Governor’s Office of Planning and Research, if a project has a less than significant impact on VMT using an efficiency-based threshold (e.g., VMT per resident), the project would not contribute to a cumulative VMT impact (OPR 2018). As

---

<sup>1</sup> The analysis of transit ridership is based on pre-COVID-19 pandemic ridership.





discussed in Impact T-2, the Project's VMT impact would be presumed to be less than significant based on the City's screening criteria because the Project includes affordable housing which generally improves the City's jobs-housing balance, shortens commutes, and reduces vehicle trips. The City's screening criteria is analogous to an efficiency-based threshold and the Project's contribution to cumulative VMT impacts would be less than significant.

The related projects include construction of 741 residential units, which equates to a population increase of 2,016 people. Assuming 51.2 percent of the population are part of the workforce (DOF 2020; EDD 2020), 5% of commuters in the Goleta area utilize public transportation, and 6% of commuters travel to work on bicycles, the cumulative projects would add 52 additional transit users and 62 new bicyclists to the Goleta area. The Project would add less than 1 rider per bus that serve the Project site which would not be a considerable contribution to the cumulative impacts to transit facilities. Additionally, the Project would result in approximately 14 new bicycle riders that would commute during the peak hour periods. Given the distance of the project site to the other related projects (Figure 3-1), it is unlikely that bicycle commuters from the Project site would commute via the same routes and the majority of the bicyclists from the related projects. As such, the bicycle riders would not be anticipated to measurably impact operations of the bicycle routes within the Goleta area. Therefore, cumulative impacts to transit and bicycle facilities would be less than significant.

Potential impacts associated with emergency access and transportation hazards would be site-specific and would not have corresponding cumulative effects.

**Mitigation Measures.** Mitigation is not required because cumulative impacts would be less than significant.

**Residual Impact.** Cumulative impacts would be less than significant without mitigation.



## 4.14 UTILITIES AND SERVICE SYSTEMS

This section analyzes the proposed Project’s potential impacts to the City of Goleta’s water supply, wastewater conveyance infrastructure system, and solid waste management system. Issues pertaining to drainage control facilities and stormwater impacts are discussed in Section 4.8, *Hydrology and Water Quality*.

### 4.14.1 Setting

#### a. Water Supply.

Water Sources, Supply, and Demand. The Goleta Water District (GWD) is the water purveyor for the City of Goleta. The GWD service area is located in the South Coast portion of Santa Barbara County with its western border adjacent to El Capitan State Park, its northern border along the foothills of the Santa Ynez Mountains and the Los Padres National Forest, the City of Santa Barbara to the east, and the Pacific Ocean to the south. The service area encompasses approximately 29,000 acres and includes approximately 87,000 residents. GWD includes the City of Goleta, the University of California Santa Barbara, and Santa Barbara Municipal Airport as well as nearby unincorporated areas of Santa Barbara County.

In June 2017, the GWD adopted its most recent Urban Water Management Plan (UWMP). As discussed in the UWMP, the GWD draws its existing water supplies from four primary sources: Lake Cachuma surface water, the State Water Project, the Goleta Groundwater Basin, and recycled water from wastewater treatment. Table 4.14-1 shows projected water supplies from each of these sources for the City and compares overall water supplies to projected demand. Currently, the GWD is projected to have a surplus of 346 acre-feet per year (AFY).

**Table 4.14-1**  
**Projected 2035 Water Supply and Demand for the Goleta Water District**

Projected Conditions	Amount (AFY)
Demand	16,391
Supply Sources	
<i>Cachuma Project Water</i>	9,322
<i>State Water Project</i>	3,800
<i>Goleta Groundwater Basin</i>	2,350
<i>Recycled Goleta WWTP Water</i>	1,265
Total Supply	16,737
<b>Projected Surplus</b>	<b>346</b>

Source: GWD, 2017.

As shown in Table 4.14-1, in addition to potable water, GWD has had the ability to deliver recycled water for irrigation purposes. However, the ability to fully utilize recycled water is limited by recycled water use patterns, which are typically condensed into a 12-hour rather than a 24-hour period, and are driven by the irrigation season. While storage is available to address daily needs, storage is not available to address seasonal variability in irrigation demand. Currently, GWD is delivering approximately 1,000 to 1,150 AFY



to customers, and would require additional infrastructure to deliver more than 1,150 AFY of recycled water. (GWD 2017).

Recycled wastewater, distributed by GWD, has gone through tertiary treatment, including the maximum three-levels of wastewater treatment, and contains no live bacterium. This is the same level of water quality treatment that is required by the National Pollutant Discharge Elimination System (NPDES) permit for discharge as surface water, and is considered safe for exposure, but slightly below drinking water standards. Recycled water is approved for use as irrigation for landscaping, which allows the water purveyor to conserve potable water (i.e., meeting drinking water standards) supplies.

Current local GWD customers of recycled wastewater for landscape irrigation include the University of California Santa Barbara, the Camino Real Marketplace, Sandpiper and Glen Annie golf courses, Dos Pueblos High School and residential properties in the City located adjacent to Hollister Avenue. The GWD Recycled Water System does not exist in the vicinity of the Project site.

GWD's rights to groundwater drawn from the Goleta Groundwater Basin (Basin) were adjudicated through a court case in 1985 entitled *Wright v. Goleta Water District* [*Wright v. Goleta Water Dist.* (1985) 174 Cal. App.3d74]. The Wright Judgment gave GWD the right to pump up to 2,000 AFY from the Basin in addition to the right to surplus waters, injected water, return flows, and rights transferred from private pumpers, identified as Exchange Service and Augmented Service. Based on the GWD's reported amounts of these Exchange and Augmented Services, it has conservatively reported an entitlement of 2,350 AFY from the Basin. The Wright Judgment also gave GWD the right to inject excess surface water supplies into the Basin to recharge the Basin and replenish groundwater supplies (GWD, 2010).

In addition to its fixed adjudicated allotment, GWD safeguards for less-than-normal rainfall years by storing excess water runoff during high rainfall years. This helps to maintain supplies during drought conditions. Excess surface water (e.g., from Cachuma Project "spill") during high rainfall years is injected into the Basin as "recharge" through GWD maintained injection wells. The injected recharge volumes are then available to GWD in the future, providing a variable increase in the annual allotment that can be tapped, as needed. This is also known as "banking." Unexercised groundwater rights at the end of a year revert to a stored water right in the Basin. As of December 2015, the GWD Groundwater Management Plan (2016 Update) reported that GWD storage balance in the Basin was 45,959 acre-feet.

In response to the extreme drought conditions throughout California, the GWD Board of Directors declared a Stage III Water Shortage Emergency on May 12, 2015. The District has updated watering times and mandatory water use restrictions to ensure adequate supplies for drinking, health, and public safety within the City. Wasting water was prohibited, including irrigating in a manner resulting in runoff from the property, and allowing water to escape from plumbing breaks for more than 48 hours. The GWD Board of Directors also amended the GWD Code to further specify unlawful uses of water, such as through a fire hydrant or fire line, through a waterline with no meter, or from another account holder or property. On April 9, 2019, in response to an increased allocation of surface water supplies from Lake Cachuma, the GWD Board of Directors lowered the ongoing Water Shortage Emergency from a Stage III to a Stage I. On April 13, 2019, receiving a full allocation of annual surface water supplies from Lake Cachuma, the GWD Board of Directors terminated its Stage I Water Shortage Emergency. Restrictions on watering days and times were rescinded and conservation is voluntary but, prohibitions against wasting water remain in effect. State prohibitions on water waste are permanent and include the following: Potable water may not be used to wash down sidewalks and driveways; Runoff caused by irrigation is prohibited; Vehicles



must be washed using a hose with a shutoff nozzle; Decorative water features must use recirculated water; and Outdoor irrigation is prohibited during and within 48 hours following measurable rainfall.

Water Agreement. Based upon the Judgement Upon Arbitration Award, Case Number 232281 filed in Santa Barbara Superior Court on February 26, 2002, the combined Willow Springs properties (Willow Springs I, Willow Springs II, and the Project) was granted allocation of a total of 100.89 AFY of potable water from the GWD (refer to Appendix J). The Annual Water Demand Report, prepared by MAC Design Associates in July 2015, determined that the Project's water service demand would total 44.812 AFY. Willow Springs I and Willow Springs II were determined to use a combined total of 55.983 AFY. The total estimated water demand for the three properties is 100.795 AFY. The Project's estimated water service demand has since been updated to account for a reduction in the proposed total unit count since 2015, as detailed in the analysis below.

**b. Wastewater.** The Goleta West Sanitary District (GWSD) provides sewer service in the Project area via its system of sewer mains that ultimately connect to Goleta Sanitary District's (GSDs) main treatment plant located at 1 William Moffett Place next to the Santa Barbara Municipal Airport. Treatment of wastewater collected by GWSD is provided through a contract with 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 NPDES permit (No. CA0048160) 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 3.11 million gallons per day (mgd). The GWSD currently generates approximately 1.8 mgd of sewage that is treated at the GSD plant, leaving about 1.3 mgd of remaining capacity in the GWSD's existing system. However, prior to the start of the COVID-19 pandemic in early 2020, GWSD was generating approximately 2.1 mgd of sewage, leaving about 1 mgd of remaining capacity (Mark Nation, General Manager/Superintendent, Goleta West Sanitary District, personal communication, March 1, 2021).

Wastewater Collection. The GWSD owns and operates sewer collection infrastructure serving approximately 6,100 customer accounts in its service area. The system includes approximately 63 linear miles of pipeline, consisting of a series of lateral sewer pipelines that connect lines from individual properties to a sewer mainline, which connects to a trunk line.

Existing wastewater collection lines in the vicinity of the Project site include an existing 12-inch trunkline running down the eastern edge of the property and existing 8-inch collector lines throughout the adjacent Willow Springs development (Mark Nation, General Manager/Superintendent, Goleta West Sanitary District, personal communication, June 2, 2015). These are public lines, to which the Project site's privately maintained collector system would connect. As wastewater is predominantly gravity-fed along Los Carneros Road from Hollister Avenue and toward Isla Vista to the GWSD pump house located on the UCSB campus, the wastewater conveyance pipes expand in size to 24 inches. Wastewater is pumped from the pump house to the GSD's main treatment plant.

Wastewater Treatment. Under contract with GWSD, the GSD provides treatment of wastewater at the Goleta Wastewater Treatment Plan (GWWTP). The GWWTP has a design capacity of 9.7 mgd, based on an average daily flow rate. However, the discharge is restricted under the facility's NPDES permit (a Clean Water Act Requirement), to a daily dry weather discharge of 7.64 mgd (CCRWQCB, 2017). This permit can be renewed regularly to reconsider discharge needs of the facility, and was last renewed in September of 2017 and will be reconsidered again in November of 2022.



In September of 2013, the GSD completed a major upgrade of its treatment facility and is now a Full Secondary Treatment Plant. The District was issued the most recent NPDES permit in 2017 to match the upgraded plant treatment capability. Through the secondary treatment process the District produces effluent that has been treated to full secondary standards.

**c. Solid Waste.**

Solid Waste Generation and Collection. MarBorg Industries provides solid waste collection services in Goleta. All non-hazardous solid waste in the City and the surrounding South Coast area is handled at two local facilities: the South Coast Recycling and Transfer Station (SCRTS) and Tajiguas Landfill. Both sites are owned and operated by the Santa Barbara County Public Works Department, Resource Recovery and Waste Management Division.

Based on the General Plan Background Report No. 23, the annual per capita residential waste generation in Goleta is estimated at 0.95 tons per person (City of Goleta, 2004). According to the Goleta General Plan, the City averages about 2,400 tons each month, which is approximately eight percent of the solid waste that goes to the Tajiguas Landfill. Although California's diversion rates have increased from 10 percent in 1989 to over 50 percent today, annual per capita waste generation rates for solid waste are still increasing.

Tajiguas Landfill. Solid waste generated within Goleta is disposed of at the Tajiguas Landfill (Tajiguas), located approximately 26 miles west of Santa Barbara. Tajiguas is one of five landfills currently operating in the County. Tajiguas's total permitted operation area is 357 acres, with an approved and permitted waste disposal footprint of 118 acres comprised of both lined and unlined areas (CalRecycle, 2019). Waste filling operations are currently being conducted in both the unlined and the lined lateral expansion areas. Santa Barbara County Environmental Health Services permits Tajiguas to accept up to 1,500 tons of municipal solid waste and yard waste per day.

Based on current waste disposal rates, the landfill will reach permitted capacity in approximately 2024. The landfill is classified by the State Water Resources Control Board as a Class III waste management unit, approved for discharge of Nonhazardous Municipal Solid Waste. Municipal solid waste currently delivered to Tajiguas is generated by the residents and businesses of City of Santa Barbara, the City of Goleta, the unincorporated areas of southern Santa Barbara County, and the Santa Ynez and Cuyama Valleys. The County of Santa Barbara has recently proposed the Resources Recovery Project which would include facilities that would process solid waste currently disposed of at the Tajiguas Landfill. This process would decrease the amount of waste occupying the landfill which would result in increased capacity and expanded life of the landfill.

Waste Diversion and Recycling. In February 1992, the Santa Barbara County Board of Supervisors adopted the County's Source Reduction and Recycling Element (SRRE). The goal of the SRRE is to reduce the amount of solid waste entering landfills by implementing, in order of priority: source reduction, recycling and composting, and environmental transformation (incineration, pyrolysis, or biological conversion). The final option is land disposal of waste.

The City of Goleta participates in recycling programs aimed at achieving a minimum 50 percent diversion rate of solid waste. Based on the Annual Report for Solid Waste Management Services (Fiscal Year 2019-20), the current diversion rate for Santa Barbara County, including Goleta, is 69 percent. Green waste collected by City waste haulers is cleaned and ground into mulch, which is then marketed. Recyclables



delivered to SCRTS are delivered to Gold Coast Recycling for sorting and marketing. In addition, a minimum of 65 percent of all construction wastes must be diverted (County of Santa Barbara Public Works Department, Resource Recovery & Waste Management Division, 2019-20).

d. **Electric Power, Natural Gas, and Telecommunications Facilities.** Electric power, natural gas, and telecommunications do not currently exist on the Project site. As discussed in detail in Section 4.16, *Energy*, Southern California Edison Company (SCE) is responsible for providing electric power supply to Goleta. There are no electric power plants in Goleta (U.S. EIA 2020b). The Project site is in the natural gas service area of Southern California Gas Company (SoCal Gas), which spans central and southern California (CEC 2020b).

In California, approximately 98 percent of households have access to telecommunication infrastructure, including telephone and cable access (California Cable & Telecommunications Association 2020). The Project site located in area code 805 and is within Verizon California's carrier of last resort territory. A carrier of last resort is a telecommunications company that commits, or is required by law, to provide service to any customer in a service area that requests it, even if serving that customer would not be economically viable at prevailing rates (California Public Utilities Commission 2020).

e. **Regulatory Framework.**

Water Supply.

*Subdivision Map Act, Government Code Sections 66410 et seq.* The Subdivision Map Act sets forth general provisions, procedures, and requirements for the division of land including the provision of public services, and roadway and utilities improvements.

*Recycled Water Regulations.* The EPA, State Water Resources Control Board (SWRCB), Regional Water Quality Control Boards (RWQCB), and California Department of Health Services (CDHS) all have a role in regulating the use of recycled water in the State of California. The SWRCB has adopted Resolution No 77-1 (Policy with Respect to Water Reclamation in California), which empowers the State Board and Regional Boards to encourage and consider funding for water reclamation projects that do not impair water rights or beneficial in-stream uses. The CDHS determines how recycled water may be used in California, and designates the level of treatment required for each of these permitted uses (Title 22, California Code of Regulations).

*Urban Water Management Planning Act (Water Code §10610 et seq.).* The Urban Water Management Planning Act was developed to address concerns regarding potential water supply shortages throughout California. It requires information on water supply reliability and water use efficiency measures. Urban water suppliers are required to develop and implement UWMPs to describe their efforts to promote efficient use and management of water resources.

*Title 22 of the California Code of Regulations (CCR).* The California Water Code requires the California Department of Public Health (CDPH) to promulgate water reclamation criteria. In 1975 the CDPH prepared Title 22 regulations (22 C.C.R. §§ 60303 et seq.) to satisfy this requirement. Title 22 regulates production and use of reclaimed water in California by establishing three categories of reclaimed water: primary effluent, secondary effluent, and tertiary effluent. In addition to defining reclaimed water uses, Title 22 also defines requirements for sampling and analysis of effluent and specifies design requirements for treatment facilities.



*Senate Bill (SB) 610.* SB 610 (Water Code §§ 10910 *et seq.*) was adopted in 2001 and reflects the growing awareness of the need to incorporate water supply and demand analysis at the earliest possible stage in the land use planning process. SB 610 amended the Urban Water Management Planning Act (Water Code §§ 10610 *et seq.*) to add Section 10910 *et seq.*

Water supply planning under SB 610 requires reviewing and identifying adequate available water supplies necessary to meet the demand generated by a project, as well as the cumulative demand for the general region over the next 20 years, under a broad range of water conditions. This information is typically found in the current UWMP for the project area. SB 610 requires the identification of the public water supplier. Under SB 610, a Water Supply Assessment (WSA) is needed only if a project exceeds 500 dwelling units thereby relieving smaller projects from the requirements of the bill (Water Code § 10910).

*City of Goleta Inland Zoning Ordinance.* Section 35-317.7(1)(d) of Article 3, Chapter 35 of the Municipal Code (the City of Goleta Inland Zoning Ordinance) includes a requirement for finding of adequate public services to serve new developments.

*Goleta Water District Ordinance No. 91-01, The SAFE Water Supplies Ordinance of 1991.* The Safe Water Supplies Ordinance (SAFE) was approved by GWD voters in 1991 and amended in 1994. SAFE sets certain restrictions on GWD use of groundwater, including the creation of a “Drought Buffer” of water that is stored in the Central Basin, which may be pumped and distributed by the GWD to existing customers only in the event that a drought causes a reduction in the District’s annual deliveries from Lake Cachuma. The Drought Buffer supplies may not be used as a source of supplemental water supply to serve new or additional demands for District water. SAFE also restricts deliveries to new developments by limiting the release of water to new customers to one percent of its total potable water supply.

The SAFE Ordinance also contains a prohibition on new service connections until water supplies for existing customers were secured. Those conditions were met in 1997. When new releases are authorized they must be offset by increases to the Drought Buffer equivalent to two-thirds of the amount of the water supplied to new customers. A determination of available water allocation for new uses is made on an annual basis.

*Goleta Water District Code (2020).* The 2020 Goleta Water District Code include the ordinances and resolutions of the Goleta Water District. Chapter 6.21 outlines all water shortage restrictions and the applicability of those restrictions under Stage II through Stage V Water Shortages. Section 6.21 also specifies the applicability of State-mandated water conservation measures beyond the District’s currently enforceable measures as well as the enforcement process for water restrictions and conservation.

*Goleta Water District Water Conservation Plan (2010).* The GWD has adopted an Water Conservation Plan (2010) requiring implementation of Best Management Practices (BMPs) to conserve water, which would reduce demand on the GWD’s potable water treatment facility capacity. Proposed developments are required to incorporate feasible BMPs into its water system design, including the use of water conserving fixtures and water efficient landscape and irrigation. The 2013 Technical Report on Optimizing the Goleta Water District Water Conservation Program (Report) was also prepared to assess existing GWD programs and determine whether the approach identified in the Water Conservation Plan and the UWMP provide the optimal strategy for meeting the State’s urban water conservation requirements and reflecting District priorities. The Technical Report includes modeling to show the water savings and related costs that can be expected under several program scenarios, providing the District



with the data and information needed to ultimately update its conservation program and Conservation Plan.

#### Wastewater Treatment.

*The Subdivision Map Act, Government Code Section 66410 et seq.* Division 2 of the Government Code of the State of California (referred to as the Subdivision Map Act) sets forth general provisions, procedures, and requirements for the division of land including the provision of public services, and roadway and utilities improvements.

*City of Goleta Inland Zoning Ordinance.* Section 35-317.7(1)(d) of Article 3, Chapter 35 of the Municipal Code (the City of Goleta Inland Zoning Ordinance) includes a requirement for finding of adequate public services to serve new developments as a condition precedent to project approval.

#### Solid Waste.

*The Subdivision Map Act, Government Code Sections 66410 et seq.* California Government Code Sections 66410 et seq. (referred to as the Subdivision Map Act) set forth general provisions, procedures, and requirements for the division of land including the provision of public services, and roadway and utilities improvements.

*California Integrated Waste Management Act of 1989 (AB 939).* This law was enacted to reduce, recycle, and reuse solid waste generated in the State to the maximum extent feasible (Pub. Res. Code §§ 40050-40063). Specifically, the Act required cities and counties to adopt a Source Reduction and Recycling Element of their Waste Management Plans to describe actions to be implemented to achieve waste reduction goals (Pub. Res. Code § 41750).

*California Solid Waste Reuse and Recycling Access Act of 1991 (AB 1327).* California Solid Waste Reuse and Recycling Access Act of 1991, as amended, requires each local jurisdiction to adopt an ordinance requiring commercial, industrial, or institutional building, marina, or residential buildings having five or more living units to provide an adequate storage area for the collection and removal of recyclable materials (Pub. Res. Code Chapter 18). The sizes of these storage areas are to be determined by the appropriate jurisdictions' ordinance. If no such ordinance exists with the jurisdiction, the CalRecycle model ordinance shall take effect (Pub. Res. Code § 42911).

*Construction and Demolition Waste Materials Diversion Requirements (SB 1374).* Construction and Demolition Waste Materials Diversion Requirements passed in 2002, added Section 42912 to the California Public Resources Code. SB 1374 requires that public agencies include in their annual AB 939 report a summary of the progress made in diverting construction and demolition waste (Pub. Res. Code § 42912). The legislation also requires that CalRecycle adopt a model ordinance for diverting 50 to 75 percent of all construction and demolition waste from landfills (Pub. Res. Code § 42912).

*Goleta Municipal Code Chapter 8.10 (Solid Waste Services).* Chapter 8.10 establishes authority, rules, and regulations, subject to the approval of the City Council, regarding all aspects of solid waste handling services as necessary for the effective and reasonable administration and enforcement of this chapter. In March 2013, the Chapter was amended to require any project involving the construction of new structures must divert from disposal at least 65 percent of all construction and demolition waste by weight regulates the collection and disposal of solid wastes.





*City of Goleta Inland Zoning Ordinance*. Section 35-317.7(1)(d) of Article 3, Chapter 35 of the Municipal Code (the City of Goleta Inland Zoning Ordinance) includes a requirement for finding of adequate public services to serve new developments.

#### 4.14.2 Impact Analysis

**a. Methodology and Significance Thresholds.** To analyze impacts to utilities, the anticipated development potential under the Project was compared to the available capacity of facilities that serve the Project site. Stormwater impacts are addressed in Section 4.8, *Hydrology and Water Quality*.

Water Supply. The Project would have a significant effect on water supplies if demand associated with projected growth would result in any of the following conditions, as listed in Appendix G of the *CEQA Guidelines*:

1. *The Project would require or result in the construction or relocation of new water facilities or expansion of existing facilities, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.*
2. *The Project would fail to have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years.*

The City of Goleta's *Environmental Thresholds and Guidelines Manual* includes thresholds pertaining to groundwater supply for projects involving groundwater wells. The Project does not involve groundwater wells; therefore, these thresholds are not applicable.

Wastewater. The City of Goleta's *Environmental Thresholds and Guidelines Manual* does not provide thresholds for impacts related to sewer service and wastewater treatment. The following thresholds are based on Appendix G of the *CEQA Guidelines*. The Project would have a significant impact related to wastewater if it would result in any of the following conditions:

3. *The Project would require or result in the construction or relocation of new water facilities or expansion of existing facilities, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities,, the construction or relocation of which could cause significant environmental effects.*
4. *The Project would result in a determination that the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.*

The environmental impacts of the Project with respect to wastewater are determined based on the potential increase in wastewater generation from buildout of the Project and the capacity of existing and proposed wastewater treatment facility and infrastructure. Project-generated wastewater is estimated using GWSD's rate of 184 gallons/day (gpd) per equivalent residential unit (ERU). The Project's estimated wastewater generation was then compared to the utility's existing sewer capacity and wastewater flow.

Solid Waste. The Project would have significant impacts on solid waste collection and disposal if development facilitated by the Project would result in any of the following conditions, as listed in Appendix G of the State *CEQA Guidelines*:



5. *The Project would generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.*
6. *The Project would fail to comply with federal, state, and local management and reduction statutes and regulations related to solid waste.*

The City of Goleta's *Environmental Thresholds and Guidelines Manual* also provides both project-specific and cumulative thresholds for solid waste generation from discretionary development. A project would result in a significant impact on the City's landfill capacity if it would generate more than 196 tons of solid waste per year, after a 50 percent reduction credit is given due to recycling efforts.

The generation of solid waste from construction of the Project is estimated based on a generation factor for residential construction of 4.38 pounds per square foot, derived from the U.S. EPA report *Characterization of Building-Related Construction and Demolition Debris in the United States*. The generation of solid waste from operation of the Project is calculated using the City's *Environmental Thresholds and Guidelines Manual* estimate for multi-family residential developments: (2.65 people x # of units x 0.95 tons/year).

The City's *Environmental Thresholds and Guidelines Manual* also provides a cumulative threshold for solid waste. Projects with a project-specific impact as identified above (196 tons/year or more) are also considered to have a cumulatively significant contribution, as the project specific threshold of significance is based on a cumulative growth scenario. However, because landfill space is already limited, any increase in solid waste of one percent or more of the estimated increase accounted for in the SRRE would be considered a less than significant but adverse contribution (Class III) to regional solid waste impacts. One percent of the SRRE projected increase in solid waste equates to 40 tons per year. To reduce adverse cumulative impacts and to be consistent with the SRRE, mitigation should be recommended for projects that generate between 40 and 195 tons of solid waste.

Electric Power, Natural Gas, and Telecommunications Facilities. The Project would have a significant effect on water supplies if demand associated with projected growth would result in any of the following conditions, as listed in Appendix G of the CEQA Guidelines:

7. *The Project would require or result in the construction or relocation of new water facilities or expansion of existing facilities, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.*

Electric power, natural gas, and telecommunications would be provided to the Project site through the extension of existing off-site electric power, natural gas, and telecommunications facilities. The Project would not require or result in the construction of new facilities or expansion of existing facilities beyond those designed specifically for the Project. The physical impacts of on-site development, which includes electric power, natural gas, and telecommunications facilities, are evaluated throughout this EIR for each issue area that may be affected by development of the project site. Therefore, threshold 7 is not discussed further in this section.



**b. Project Impacts and Mitigation Measures.**

**Impact UTL-1 The Project would generate water demand of approximately 39.4 AFY. This level of demand is within the GWD's current 346 AFY surplus. Therefore, impacts to water supply would be Class III, less than significant [Thresholds 1 and 2].**

At present, the 17.36-gross acre Project site is vacant and generates no water demand. However, Willow Springs I, Willow Springs II, and the Project are entitled to a combined 100.89 AFY in accordance with the Court judgement described above. Water service to the Project site would be provided by the GWD.

In July 2015, MAC Design Associates prepared an Annual Demand Water Report for Willow Springs I, Willow Springs II, and the Project, as proposed at that time. The calculations for water usage were derived from the actual water use data from 2007 to 2015 for Willow Springs I and Willow Springs II, provided by GWD. For the most current Project domestic water use, a 24 month period (January 2012 through December 2013) was used as the base period. The water meters were categorized as either domestic, landscape, or commercial meters. As domestic water use varies substantially based on the type of unit, the domestic meters were further separated by the following unit types: 1BR/1BA, 2BR/1BA, 2BR/2BA, and 3BR/2BA. To determine the average water consumption rate by unit type, the water usage for each month of the base period was totaled and then converted to a monthly average based on the data for the 24 month period. The monthly average was then converted to AFY per month. The total AFY was divided by the number of a single unit type. This method was then replicated for all unit types in the development. There was insufficient water use history to utilize actual figures for the Project. Therefore, the actual water usage for Willow Springs I was utilized to project water usage at the Project site. The Project units are smaller than Willow Springs I, so actual water usage would be expected to be lower. The GWD has reviewed and approved the MAC Design Associates water demand for the Project (Appendix J). The Project's estimated water service demand has since been updated utilizing the rates in the 2015 Annual Water Demand Report, but to account for a reduction in the proposed total unit count since 2015. The proportion (i.e., percentage) of each unit type for the overall reduced unit count is the same as for the previously proposed project. The proposed studios are included with the 1BR/1BA unit types.

Based on the water use study, the Project's domestic water demand, landscaping water demand, and commercial water demand are estimated at 31.6 AFY, 6.2 AFY, and 1.6 AFY, respectively. The calculations for Project-generated water demand are shown in Table 4.14-2. The total water demand generated by the Project would be 39.4 AFY (not accounting for recycling and other water savings). This represents approximately 0.2 percent of the 16,737 AFY of water available from GWD (not accounting for unused recycled water). As the Project is part of the Willow Springs project (Willow Springs I, Willow Springs II, and Heritage Ridge [formerly North Willow Springs]), it is considered an existing customer of GWD and would meet the criteria for an exemption as outlined in Resolution No. 2014-32.



**Table 4.14-2  
 Project-Generated Water Demand**

Proposed Use	Amount	Water Use Rate	Total Use (AFY)
<b>Family Affordable and Market-Rate Housing Domestic Water Use</b>			
1BR/1BA <sup>1</sup>	172 units	0.079 AFY/unit	13.6
2BR/1BA	47 units	0.114 AFY/unit	5.4
2BR/2BA	32 units	0.110 AFY/unit	3.5
3BR/2BA	40 units	0.163 AFY/unit	6.5
<b>Senior Affordable Housing Domestic Water Use</b>			
1BR/1BA <sup>1</sup>	37 units	0.063 AFY/unit	2.3
2BR/1BA	3 units	0.083 AFY/unit	0.2
2BR/2BA	1 unit	0.072 AFY/unit	0.1
<b>Landscape Water Use<sup>2</sup></b>			
Site landscape and public park	3.6 acres	1.726 AFY/acre	6.2
<b>Commercial Water Use<sup>3</sup></b>			1.6
<b>TOTAL</b>			<b>39.4 AFY</b>

1. Includes proposed studio units.

2. Landscape water was calculated in the 2015 Annual Water Demand Report, and revised by Rincon based on the current (2021) landscape and park area in Section 2.0, Project Description.

3. The commercial water usage was calculated by using the total actual commercial usage from Willow Springs I and Willow Springs II of 1.504 AFY, and multiplying by a factor of 353 units/332 units or 1.0633.

Source: MAC Design Associates, July 7, 2015 (Appendix J).

Water for domestic uses and landscaping on the Project site could potentially be supplied by different sources. However, the recycled water system is not in the vicinity of the Project site. The nearest water main for recycled water, located at the corner of Storke Road and Hollister Avenue approximately 1 mile to the west and south of the site, will extend to Cortona Drive and Hollister Avenue in the future, but will remain out of vicinity for use at the Project site (Jim Heaton, Senior Water Resource Analyst, Goleta Water District, personal communication, June 4, 2015).

The 39.4 AFY of water demand generated by the Project represents 11.4 percent of GWD’s projected surplus of 346 AFY in water supply above current demand levels (GWD UWMP, 2017). Accordingly, the GWD currently has sufficient water supply to provide potable water to the Project and Project impacts to water supply would be less than significant. Based on the total allocation of 100.89 AFY for Willow Springs I, Willow Springs II, and the Project, and water use by the Willow Springs properties of 55.983 AFY, there is 44.907 AFY available to serve the Project. Therefore, the Projects use of 39.4 AFY would be within the allocated water supply.

In accordance with GWD’s Water Conservation Plan from 2010, the Project also would be required to incorporate feasible Best Management Practices (BMPs) into its water system design. Such practices include the use of water conserving fixtures and water efficient landscape and irrigation.

**Mitigation Measures.** Impacts related to water supply would be less than significant. Therefore, mitigation is not required.



**Residual Impact.** Impacts would be less than significant without mitigation since the Project's water demand is within the current GWD surplus. Nevertheless, the City recommends the following conditions of approval to further reduce impacts on water supplies.

- **Outdoor Water Conservation.** Minimize outdoor water use through the following:
  - a. Use of native and/or drought tolerant species in the final landscaping;
  - b. Installation of drip irrigation or other water-conserving irrigation;
  - c. Grouping of plant material by water needs;
  - d. Limiting turf to less than 20% of the total landscaped area if proposed under the final landscape plan or use of artificial turf in place of living grass (this may exceed the 20% maximum);
  - e. No turf is allowed on slopes of over 4%;
  - f. Use of extensive mulching (2" minimum) in all landscaped areas to improve the water holding capacity of the soil by reducing evaporation and soil compaction;
  - g. Installation of soil moisture sensing devices to prevent unnecessary irrigation;
  - h. Use of only recycled water for landscape irrigation if the Project site is connected to a recycled water line;
  - i. Use of plant materials that can withstand high salinity levels, if recycled water is used for irrigation; and
  - j. Use of plant materials that are compatible with the Goleta climate pursuant to Sunset Western Garden Book's Zone 24, published by Sunset Books, Inc., Revised and Updated 2001 edition.
  
- **Indoor Water Conservation.** Minimize indoor water use through the following:
  - a. Insulation of all hot water lines;
  - b. Installation of re-circulating, point-of-use, or on-demand water heaters;
  - c. Prohibition of self-regenerating water softening in all structures;
  - d. Use of lavatories and drinking fountains with self-closing valves; and
  - e. Installation of water sense specification toilets in each unit.

**Impact UTL-2 Wastewater generated by future residents on the Project site would flow through GWSD's conveyance system and into GSD's wastewater treatment plant. Existing wastewater conveyance and treatment facilities have sufficient capacity to accommodate Project-related flows. Therefore, impacts would be Class III, less than significant [Thresholds 3 and 4].**

Future Project site residents would generate wastewater that would feed into GWSD's conveyance system and ultimately flow to GSD's treatment plant. As discussed in Section 4.14.1(b), GWSD owns 40.78 percent of the capacity rights at the GSD treatment plant, which gives GWSD an allotment of 3.11 mgd of treatment capacity. GWSD currently collects approximately 1.8 mgd of sewage. However, prior to the start of the COVID-19 pandemic in early 2020, GWSD was generating approximately 2.1 mgd of sewage, leaving a remaining allocated capacity of approximately 1 mgd pursuant to its contract with GSD. The pre-COVID-19 wastewater generation rate is used in this analysis as it represents a more conservative analysis and may more closely reflect the post-pandemic conditions. Applying GWSD's wastewater generation rate of 184 gpd per equivalent residential unit (ERU), the proposed 332 housing units would generate 61,088 gpd of wastewater. Project-generated wastewater represents approximately 1.96 percent of the GWSD's allocated capacity of 3.11 mgd. As shown in Table 4.14-3, the combination of existing wastewater



flow in GWSD’s service area and Project-generated flow would represent 69.5 percent of total allocated capacity. Thus, GWSD’s treatment plant would have sufficient capacity to treat Project-generated wastewater. The Project would have a less than significant impact with respect to wastewater service.

**Table 4.14-3  
 Existing + Project Wastewater  
 Generation and Allocated Capacity**

<b>Wastewater Generation</b>	<b>Allocated Capacity</b>	<b>% of Capacity</b>
Existing in GWSD Service Area 2.1 mgd	-	67.5%
Project 0.06 mgd	-	1.9%
Existing + Project <b>2.16 mgd</b>	<b>3.11 mgd</b>	<b>69.5%</b>

In order for the Project to connect to the wastewater system, payment of fees to reserve capacity and contribute to costs of plant upgrades would be required. A Sewer Service Connection Permit from the GWSD also would be necessary to ensure that the District’s excess capacity can be utilized to serve this Project (Nation, 2015). The Project would be required to obtain a District Sewer Service Connection Permit from GWSD and pay applicable fees.

**Mitigation Measures.** Impacts would be less than significant, and no mitigation is required.

**Residual Impact.** Impacts would be less than significant without mitigation.

**Impact UTL-3 Construction of the proposed structures is anticipated to take approximately 30 months and result in approximately 213 tons of construction waste or 85 tons per year. Construction waste would not exceed the City’s threshold of 196 tons per year. Therefore, impacts would be Class III, less than significant [Thresholds 5 and 6].**

During the construction phase of development, a project can generate solid waste from the demolition of existing structures and the erection of new buildings. The Project would not involve demolition, but construction of new residential structures would generate solid waste. The proposed structures on-site, including 332 residential units in ten buildings, two recreational facilities, a maintenance building, and a maintenance/storage building, would total 277,919 gross square feet. According to the U.S. EPA report *Characterization of Building-Related Construction and Demolition Debris in the United States*, residential construction has a solid waste generation factor of 4.38 pounds per square foot (U.S. EPA, 1998). Based on this estimate, Project construction would generate a total of about 1.22 million pounds of debris (approximately 609 tons). The construction period (excluding pre-construction soil hauling, which is not expected to generate substantial waste) is estimated at 30 months. Therefore, construction activity would result in an average waste generation rate of approximately 244 tons/year.

As described under the Regulatory Framework, the Goleta Municipal Code was updated in March 2013 to increase the required diversion rate for construction and demolition waste. Pursuant to Chapter 8.10 of the Goleta Municipal Code, any project involving the construction of new structures must divert from



disposal at least 65 percent of all construction and demolition waste by weight. To attain this diversion rate, the applicant would be required to submit a Pre-Construction Waste Reduction and Recycling Plan as part of the application for a building permit. By complying with the City's requirement for diversion of solid waste, construction of the Project would generate an estimated 213 tons of non-recyclable waste during the 30-month construction period, or approximately 85 tons/year. This amount of non-recyclable construction waste would not exceed the City's Project-specific threshold of 196 tons per year. Therefore, impacts would be less than significant.

**Mitigation Measure.** With compliance with the City's construction waste reduction and recycling requirements, impacts related to solid waste would be less than significant. No mitigation is necessary to further reduce impacts.

**Residual Impact.** Impacts would be less than significant without mitigation.

**Impact UTL-4** **The Project would generate an estimated 242 tons of non-recyclable solid waste per year during operation. This amount exceeds the City's Project-specific solid waste threshold of 196 tons per year. Implementation of a Solid Waste Management Plan would be required to implement waste diversion in order to reduce the amount of solid waste generated. However, impacts would remain Class I, *significant and unavoidable [Thresholds 5 and 6].***

As discussed in Section 4.14.3, *Methodology and Significance Thresholds*, the City's CEQA thresholds manual includes a formula to estimate solid waste generation from multi-family residential development. Using this formula (2.65 people/market-rate unit x 228 units x 0.95 tons/year) + (2.58 people/family affordable unit x 63 units x 0.95 tons/year) + (1.36 people/senior affordable unit x 41 units x 0.95 tons/year)], the Project would generate approximately 781 tons of solid waste per year. According to the City's *Environmental Thresholds and Guidelines Manual*, the quantity of solid waste to be disposed of at landfills (non-recycled waste) is estimated at 50 percent of the total volume of solid waste generated. Based on a 50 percent diversion rate, the non-recycled waste from the Project would be estimated at 390.5 tons per year. This amount exceeds the City's Project-specific threshold of 196 tons per year. However, the current diversion rate for Santa Barbara County, including the City of Goleta was most recently identified as 69 percent (County of Santa Barbara Public Works, 2020). Assuming that the Project would divert recyclable waste at a rate consistent with the City's current average, 31 percent of the Project's estimated 781 tons of solid waste per year would be disposed of at landfills. Thus, based on this assumption, the Project would generate an estimated 242 tons per year of non-recyclable waste. This amount would exceed the City's project-specific threshold of 196 tons per year. Therefore, impacts on solid waste disposal capacity at the Tajiguas Landfill would be potentially significant.

**Mitigation Measures.** The City's *Environmental Thresholds and Guidelines Manual* includes example mitigation measures for projects which would exceed City solid waste thresholds.

**UTL-4 Solid Waste Management Plan.** The Project applicant must develop and implement a Solid Waste Management Plan (SWMP) to be reviewed and approved by Public Works Director, or designee, and include one or more of the following measures:



- *Provision of space and/or bins for storage of recyclable materials within the Project site.*
- *Establishment of a recyclable material pickup area for commercial/industrial projects (i.e., loading docks, etc.).*
- *Implementation of a curbside recycling program to serve the new development.*
- *Development of a plan for accessible collection of materials on a regular basis (may require establishment of private pick-up depending on availability of County-sponsored programs).*
- *Implementation of a monitoring program (quarterly, bi-annually) to ensure a 33 percent to 50 percent minimum participation in recycling efforts.*
- *Development of Source Reduction measures, indicating method and amount of expected reduction.*
- *Implementation of a program to purchase recycled materials used in association with the Project (paper, newsprint, etc.). This should include requesting suppliers to show recycled material content.*
- *Implementation of a backyard composting yard waste reduction program.*

**Plan Requirements and Timing:** The applicant must coordinate with the Planning and Environmental Review Director, or designee, and prepare SWMP as specified in the measure.

**Monitoring:** The Planning and Environmental Review Director, or designee, must inspect the Project site periodically for the first five (5) years after completion of Project occupancy to verify compliance with the SWMP.

**Residual Impact.** County waste characterization studies estimate that implementation of the measures included in the required SWMP can reduce the 781 tons per year of waste generation by 50 percent. The actual reduction in waste generation cannot be fully determined until implementation of the SWMP. Therefore, impacts would remain significant and unavoidable.

**c. Cumulative Impacts.**

**Water Supply.** Cumulative development in the City would add 516 residential units and approximately 726,444 square feet of commercial and industrial space (City of Goleta, Cumulative Project List, January 2021). Using conservative water demand rates for single-family residences, multi-family residences, and non-residential development, as identified in the City's *Environmental Thresholds and Guidelines Manual*, the total additional water demanded (should all pending projects in the City of Goleta be approved) is estimated at 530 AFY, as shown in Table 4.14-4.





**Table 4.14-4  
Estimated Water Demand from Cumulative Projects in the City of Goleta**

Land Use	Size	Demand Rate	Water Demand (AFY)
Single-family residential	73 dwelling units	0.70 AFY/unit	51
Multi-family residential	443 dwelling units	0.50 AFY/unit	222
Commercial	726,444 square feet	0.30 AFY/1,000 square feet <sup>1</sup>	218
Proposed Project	332 dwelling units	Refer to Table 4.14-2	39
<b>Total</b>			<b>530</b>

1. The general commercial rate was conservatively applied to all non-residential development.

The total estimated water demand of 530 AFY would exceed GWD’s current surplus of 346 AFY. In accordance with GWD’s Water Conservation Plan from 2010, cumulative development would be required to incorporate feasible BMPs into water system design and be subject to the City’s conditions of approval for outdoor and indoor water conservation. The Project would also be required to incorporate these measures and conditions of approval to reduce water demand. The Project also would be within GWD’s current water surplus and water allocation of 100.89 AFY for Willow Springs I, Willow Springs II, and the Project. Because sufficient water has been allocated for the Project, the Project would not result in a considerable contribution to a cumulative water supply impact associated with planned and pending development in Goleta would be less than significant.

Wastewater. As discussed under Impact UTL-2 above, cumulative development within the City of Goleta would add 516 residential units and approximately 726,444 square feet of commercial and industrial space, resulting in increased generation of wastewater. Assuming that wastewater generation is 90 percent of water demand, cumulative development would generate about 477 AFY or 425,838 of wastewater per day. This is about 44.8 percent of the 0.95 mgd of the remaining GWSD wastewater treatment capacity. Wastewater generated by cumulative development would therefore be within GWSD’s available capacity. In addition, ongoing upgrades to wastewater treatment facilities would improve treatment capacity. As discussed in Section 4.14.1(b), in September of 2013, the GSD completed a major up-grade of its treatment facility and is now a Full Secondary Treatment Plant. NPDES permit extensions have been granted to GWSD given satisfactory progress made in completing the design and construction of the wastewater treatment facility upgrades to full secondary treatment standards. These upgrades were designed to eliminate constraints on the growing wastewater treatment demand of the City. In order for the Project and other related developments to connect to the wastewater system, payment of fees to reserve capacity and contribute to costs of plant upgrades would be required. With the payment of fees toward the construction of improvements to wastewater infrastructure, as discussed under Impact UTL-2, the Project would not contribute to a cumulative impact on wastewater infrastructure. Therefore, cumulative impacts would be less than significant.

Solid Waste. As discussed under Impact UTL-3, solid waste generation from Project construction is estimated to be 85 tons per year. The Project’s operational solid waste generation, assuming 69 percent waste diversion as discussed under Impact UTL-4, is estimated at 242 tons/year. According to the City’s *Environmental Thresholds and Guidelines Manual*, projects with a project-specific impact identified in relation to the threshold of 196 tons/year are also considered cumulatively significant because the project-specific threshold is based on a cumulative growth scenario. The City’s *Environmental Thresholds and Guidelines Manual* also states that if solid waste generation exceeds 40 tons/year, it is considered an adverse contribution to cumulative impacts to solid waste facilities. Despite implementation of a SWMP



for the potentially significant operational solid waste impact discussed under Impact UTL-4 and required by Mitigation Measure UTL-4, Project construction and operations would result in waste in excess of 40 tons per year, resulting in a significant and unavoidable contribution to cumulative solid waste impacts.



*This page intentionally left blank*



## 4.15 ENERGY

This section discusses the Project's potential impacts relating to energy. This analysis follows the guidance for evaluation of energy impacts contained in Appendix F and Appendix G of the State CEQA Guidelines. The physical environmental impacts associated with the generation of electricity and burning of fuels have been accounted for in Section 4.2, Air Quality, and Section 4.6, Greenhouse Gas Emissions.

### 4.15.1 Setting

Energy use relates directly to environmental quality because energy use can adversely affect air quality and can generate greenhouse gas (GHG) emissions that contribute to climate change. Fossil fuels are burned to create electricity that powers residences, heats and cools buildings, and powers vehicles. Transportation energy use is dependent on the fuel efficiency of cars, trucks, and public transportation; the different travel modes such as auto, carpool, and public transit; and the miles traveled using these modes. Construction and routine operation and maintenance of transportation infrastructure also consume energy.

#### a. Energy Supply

Petroleum. California is one of the top producers of petroleum in the nation with drilling operations occurring throughout the state but concentrated primarily in Kern and Los Angeles counties. A network of crude oil pipelines connects production areas to oil refineries in the Los Angeles area, the San Francisco Bay area, and the Central Valley. California oil refineries also process Alaskan and foreign crude oil received at ports in Los Angeles, Long Beach, and the San Francisco Bay area (California Energy Commission [CEC], 2021a). According to the United States Energy Information System (U.S. EIA), California's field production of crude oil totaled 161.5 million barrels in 2019 (U.S. EIA, 2020a).

*Petroleum Infrastructure in Goleta.* There are approximately 13 gasoline stations, but no petroleum refineries in the City of Goleta (U.S. EIA 2020b, GasBuddy 2021). According to the California Department of Conservation Geologic Energy Management Division (CalGEM), there are several idle and former oil and gas production wells, but no active oil production wells in Goleta (CalGEM, 2021).

*Alternative Fuels.* A variety of alternative fuels are used to reduce petroleum-based fuel demand. Alternative fuel use is encouraged through various statewide regulations and plans, such as the Low Carbon Fuel Standard and Senate Bill (SB) 32. Alternative vehicle fuels include hydrogen, biodiesel, and electricity. Currently, 42 hydrogen and 10 biodiesel refueling stations are located in California. There are no biodiesel stations or public compressed natural gas stations located in the City of Goleta. There are approximately 10 electric vehicle charging stations located in Goleta (United States Department of Energy, 2021).

Electricity. In 2019, California's in-state electricity generation totaled 200,475 gigawatt-hours (GWh; CEC 2021b). Primary fuel sources for the state's electricity generation in 2019 included natural gas, hydroelectric, solar photovoltaic, wind, nuclear, geothermal, biomass, and solar thermal. According to the Final 2019 Integrated Energy Policy Report, California's electricity sector is rapidly evolving in response to climate policy and market changes, with increasing reliance on solar and wind energy sources. Installed renewable capacity in the state increased from 9,313 megawatts (MW) in 2009 to 23,313 MW in 2018 (CEC, 2020a).



*Southern California Edison Company.* Southern California Edison Company (SCE) is responsible for providing electric power supply to Goleta. SCE is one of the nation's largest electric and gas utility companies, and it maintains 91,375 circuit miles of electric distribution lines and 12,635 circuit miles of interconnected transmission lines. Power outages in SCE territory may occur as the result of unexpected events, while SCE also plan scheduled outages for routine maintenance or necessary repairs. California Independent System Operator (CAISO) rotating outages (Stage 3 CAISO Emergencies) become necessary when the state's electricity demand outpaces available supply in real time or are unavoidable. SCE manages and rotates these outages across groups of customers throughout the service territory to protect the integrity of the electric system, while limiting the inconvenience to any one customer or community. Every customer in SCE service territory is assigned to a Rotating Outage Group. Maintenance outages occur for work on the electrical system, necessary to protect public safety, reduce wildfire risk, complete customer-requested efforts, and to maintain and improve reliability on the electric system (SCE, 2021). The City of Goleta has greater vulnerability to outages given the City's location at one end of SCE's territory and the geography through which the transmission lines run. Specifically, the area is at risk of experiencing a prolonged electrical outage should the two transmission lines serving the area experience a simultaneous disruption, which has been a potential threat during wildfires in the region in recent years.

In 2019, SCE's power mix consisted of 35.1 percent renewable resources (wind, geothermal, biomass, solar, and small hydroelectric), 16.1 percent natural gas, 8.2 percent nuclear generation, 7.9 percent large hydroelectric facilities, and 32.7 percent other and unspecified (i.e., electricity that has been purchased through open market transactions and is not traceable to a specific generation source) sources (SCE, 2020).

*Central Coast Community Energy.* Central Coast Community Energy (3CE) is a Community Choice Energy agency established by local communities to source clean and renewable electricity for Santa Barbara, San Luis Obispo, Monterey, San Benito, and Santa Cruz counties while retaining the primary utility provider's (i.e., SCE) traditional role delivering power, maintaining electric infrastructure, and billing for electricity. In its first two years of operations, 3CE has contracted for 453.3 MW of long term eligible renewable resources and 192.7 MW of battery storage. In 2019, 3CE's power mix consisted of 30.9 percent renewable resources (wind, geothermal, biomass, solar, and small hydroelectric), and 69.1 percent large hydroelectric facilities. The cities of Goleta, Carpinteria, and unincorporated southern Santa Barbara County will begin service with 3CE in October 2021 (3CE, 2021).

*City of Goleta Electric Power Infrastructure.* According to the EIA's U.S. Energy Mapping System, there are no solar power plants in Goleta (U.S. EIA, 2020b). In recent years, various Battery Energy Storage Systems (BESS) projects have been proposed and approved for construction in SCE territory, including the City of Goleta.

In 2020, the City initiated the process for design, procurement of materials, permitting, installation, interconnection, and all associated documentation, financing, maintenance, and warranties of photovoltaic (PV) solar and BESSs to be located at Goleta City Hall. As part of this process, the City has completed an initial feasibility assessment for PV solar-only and microgrid systems, which indicated the technical and financial feasibility for both systems. However, the has opted to pursue a solar-only project at this time (City of Goleta, 2020).

In early 2021, the City of Goleta approved the purchase of Santa Barbara County's first EV ARC™ 2020 (EV ARC). The EV ARC is a transportable, 100 percent off-grid solar-powered electric vehicle charger that can also serve as a mobile emergency preparedness and energy resiliency asset. The City is the first agency in Santa



Barbara County with plans to deploy this type of equipment, and the equipment is anticipated for delivering to City Hall by early summer of 2021 (DeVine, 2021).

Natural Gas. California’s net natural gas production for 2018 was 180.6 billion cubic feet (CalGEM 2019). The state relies on out-of-state natural gas imports for nearly 90 percent of its supply. The CEC estimates that approximately 45 percent of the natural gas burned across the state is used for electricity generation, and much of the remainder is consumed in the residential (21 percent), industrial (25 percent), and commercial (9 percent) sectors.

*Southern California Gas.* The Project site is in the natural gas service area of Southern California Gas Company (SoCalGas), which spans central and southern California (CEC, 2020b). SoCalGas’ service area is equipped with 101,000 miles of gas transmission and distribution pipelines (SoCalGas, 2021a). Natural gas supplied by SoCalGas to California is sourced primarily from California (onshore and offshore), the Southwestern U.S. (the Permian, Anadarko, and San Juan basins), the Rocky Mountains, and Canada (California Gas and Electric Utilities [CGEU], 2020). As part of a commitment to supporting achievement of the state’s GHG reduction goals, SoCalGas also provides expertise and assistance to customers who want to convert organic waste material into biogas or renewable natural gas (RNG). RNG can be produced from a variety of existing waste streams and renewable biomass sources, such as: animal waste from dairies; food waste from landfills; organic waste from wastewater treatment plants; and organic waste from landfill-diversion facilities. SoCalGas’s network of natural gas pipelines allow for RNG to be accepted into their transmission and distribution system and delivered to customers. There are currently no RNG suppliers, active participants, or service providers in the RNG industry located in the City of Goleta. However, SoCalGas provides a packet (the “RNG Toolkit” that offers a wide range of information relating to RNG and interconnecting to SoCalGas pipelines for interested parties (SoCalGas, 2021c).

In 2019, SoCalGas customers consumed a total of 5,425 million therms of natural gas. Residential users accounted for approximately 45 percent of SoCalGas’ natural gas consumption. Industrial and commercial users accounted for another 31 percent and 19 percent, respectively. The remainder was used for mining, construction, agricultural, and water pumping purposes (CEC, 2021d).

*Natural Gas Infrastructure in Goleta.* There are several idle and former oil and gas production wells in Goleta (CalGEM 2021). No natural gas processing plants are located in the city (U.S. EIA, 2020b). Several natural gas transmission pipelines are also located in Santa Barbara County, with both transmission lines and high-pressure distribution lines located in the City of Goleta (SoCalGas, 2021b).

**b. Energy Demand.** The smallest scale at which energy consumption information is readily available is the county level. Therefore, energy consumption in Santa Barbara County is used herein to characterize the city’s existing consumption of petroleum, electricity, and natural gas as detailed in the following subsections.

Petroleum. As shown in Table 4.15-1, Santa Barbara County consumed an estimated 177 million gallons of gasoline and 19 million gallons of diesel fuel in 2019, which was approximately 1.2 percent of statewide gasoline consumption and approximately 1.1 percent of statewide diesel fuel consumption (CEC, 2020c).



**Table 4.15-1  
 2019 Annual Gasoline and Diesel Consumption**

Fuel Type	Santa Barbara County (gallons)	California (gallons)	Proportion of Statewide Consumption <sup>1</sup>
Gasoline	177,000,000	15,365,000,000	1.2%
Diesel	19,000,000	1,756,000,000	1.1%

<sup>1</sup> For reference, the population of Santa Barbara County (423,895 persons) is approximately 1.1 percent of the population of California (39,782,870 persons) (California Department of Finance [DOF], 2020).

Source: CEC, 2020c

Electricity. As shown in Table 4.15-2, Santa Barbara County consumed approximately 2,758 GWh in 2019, which is approximately 3.4 percent of electricity consumption by SCE and approximately 1.4 percent of statewide electricity consumption (CEC, 2021d).

**Table 4.15-2  
 2019 Electricity Consumption**

Energy Type	Santa Barbara County (GWh)	SCE (GWh)	California (GWh)	Proportion of SCE Consumption	Proportion of Statewide Consumption <sup>1</sup>
Electricity	2,758	80,913	200,475	3.4%	1.4%

<sup>1</sup> For reference, the population of Santa Barbara County (423,895 persons) is approximately 1.1 percent of the population of California (39,782,870 persons) (DOF, 2020).

Source: CEC, 2021d

Natural Gas. As shown in Table 4.15-3, Santa Barbara County consumed approximately 137 million US therms in 2019, which was approximately 2.5 percent of the natural gas consumption by SoCalGas and approximately 1.0 percent of statewide natural gas consumption (CEC, 2021d).

**Table 4.15-3  
 2019 Natural Gas Consumption**

Energy Type	Santa Barbara County (millions of US therms)	SoCalGas (Millions of US therms)	California (millions of US therms)	Proportion of SoCalGas Consumption	Proportion of Statewide Consumption <sup>1</sup>
Natural Gas	137	5,425	13,158	2.5%	1.0%

<sup>1</sup> For reference, the population of Santa Barbara County (423,895 persons) is approximately 1.1 percent of the population of California (39,782,870 persons) (DOF, 2020).

Source: CEC, 2021d



**c. Regulatory Setting.** The following regulations address energy consumption.

Federal Regulations

*Energy Independence and Security Act of 2007.* The Energy Independence and Security Act, enacted by Congress in 2007, is designed to improve vehicle fuel economy and help reduce the United States' dependence on foreign oil. It expands the production of renewable fuels, reducing dependence on oil and confronting climate change. Specifically, the Energy Independence and Security Act does the following:

- *Increases the supply of alternative fuel sources by setting a mandatory Renewable Fuel Standard that requires fuel producers to use at least 36 billion gallons of biofuel in 2022, which represents a nearly five-fold increase over current levels.*
- *Reduces United States demand for oil by setting a national fuel economy standard of 35 miles per gallon by 2020, an increase in fuel economy standards of 40 percent.*
- *The Energy Independence and Security Act of 2007 also set energy efficiency standards for lighting (specifically light bulbs) and appliances. Development would also be required to install photosensors and energy-efficient lighting fixtures consistent with the requirements of 42 USC Section 17001 et seq.*

*Energy Policy and Conservation Act.* Enacted in 1975, the Energy Policy and Conservation Act established fuel economy standards for new light-duty vehicles sold in the United States. The law placed responsibility on the National Highway Traffic and Safety Administration (NHTSA) for establishing and regularly updating vehicle standards. The United States Environmental Protection Agency (U.S. EPA) is responsible for administering the Corporate Average Fuel Economy (CAFE) program, which determines vehicle manufacturers' compliance with existing fuel economy standards. In 2012, the U.S. EPA and NHTSA established final passenger car and light truck CAFE standards for model years 2017 to 2021, which require a combined average fleet-wide fuel economy of 40.3 to 41.0 miles per gallon in model year 2021. The U.S. EPA will reexamine the standards for model years 2022 to 2025 and NHTSA will set new CAFE standards for those model years in the next couple of years, based on the best available information at that time (United States Department of Transportation, 2014).

*Energy Star Program.* Energy Star is a voluntary labeling program introduced by U.S. EPA to identify and promote energy-efficient products to reduce GHG emissions. The program applies to major household appliances, lighting, computers, and building components such as windows, doors, roofs, and heating and cooling systems. Under this program, appliances that meet specifications for maximum energy use established under the program are certified to display the Energy Star label. Since 1992, Energy Star and its partners helped residents and businesses in the United States save more than 4 trillion kilowatt-hours of electricity and achieve over 3.5 billion metric tons of GHG reductions (Energy Star, 2021).

*Construction Equipment Fuel Efficiency Standard.* The U.S. EPA sets emission standards for construction equipment. The current iteration of emissions standards for construction equipment are the Tier 4 efficiency requirements are contained in 40 Code of Federal Regulations Parts 1039, 1065, and 1068. Emissions requirements for new off-road Tier 4 vehicles were completely phased in by the end of 2015.





### California Regulations

*California Energy Plan.* The CEC is responsible for preparing the California Energy Plan, which identifies emerging trends related to energy supply, demand, conservation, public health and safety, and the maintenance of a healthy economy. The 2008 California Energy Plan calls for the state to assist in the transformation of the transportation system to improve air quality, reduce congestion, and increase the efficient use of fuel supplies with the least environmental and energy costs. To further this policy, the plan identifies several strategies, including assistance to public agencies and fleet operators in implementing incentive programs for zero-emission vehicles and addressing their infrastructure needs, as well as encouragement of urban designs that reduce vehicle miles travelled (VMT) and accommodate pedestrian and bicycle access.

*Assembly Bill 2076: Reducing Dependence on Petroleum.* Pursuant to Assembly Bill (AB) 2076 (Chapter 936, Statutes of 2000), the CEC and California Air Resources Board (CARB) prepared and adopted a joint-agency report, Reducing California's Petroleum Dependence, in 2003. Included in this report are recommendations to increase the use of alternative fuels to 20 percent of on-road transportation fuel use by 2020 and 30 percent by 2030, significantly increase the efficiency of motor vehicles, and reduce per capita vehicle miles travelled.

*Integrated Energy Policy Report.* SB 1389 requires the CEC to conduct assessments and forecasts of all aspects of energy industry supply, production, transportation, delivery and distribution, demand, and prices. The CEC uses these assessments and forecasts to develop energy policies that conserve resources, protect the environment, ensure energy reliability, enhance the state's economy, and protect public health and safety. The most recent 2019 Integrated Energy Policy Report covers a broad range of topics, including decarbonizing buildings, integrating renewables, energy efficiency, energy equity, integrating renewable energy, updates on Southern California electricity reliability, climate adaptation activities for the energy sector, natural gas assessment, transportation energy demand forecast, and the California Energy Demand Forecast (CEC, 2020a).

*Senate Bill 350.* The Clean Energy and Pollution Reduction Act of 2015 (SB 350) requires a doubling of the energy efficiency savings in electricity and natural gas for retail customers through energy efficiency and conservation by December 31, 2030.

*California Renewable Portfolio Standard and Senate Bill 100.* Approved by the Governor on September 10, 2018, SB 100 accelerates the state's Renewable Portfolio Standard program, which was last updated by SB 350 in 2015. SB 100 requires electricity providers to increase procurement from eligible renewable energy resources to 33 percent of total retail sales by 2020, 60 percent by 2030, and 100 percent by 2045.

*Assembly Bill 1493: Reduction of Greenhouse Gas Emissions.* AB 1493 (2002), California's Advanced Clean Cars program (referred to as "Pavley"), requires CARB to develop and adopt regulations to achieve "the maximum feasible and cost-effective reduction of GHG emissions from motor vehicles." On June 30, 2009, the U.S. EPA granted the waiver of Clean Air Act preemption to California for its GHG emission standards for motor vehicles, beginning with the 2009 model year, which allows California to implement more stringent vehicle emission standards than those promulgated by the U.S. EPA. Pavley I regulates model years from 2009 to 2016 and Pavley II, now referred to as "LEV (Low Emission Vehicle) III GHG," regulates model years from 2017 to 2025. The Advanced Clean Cars program coordinates the goals of the Low Emission Vehicle, Zero Emissions Vehicles, and Clean Fuels Outlet programs, and would provide



major reductions in GHG emissions (CARB, 2011). However, on September 19, 2019, the U.S. EPA withdrew California's Clean Air Act preemption waiver and issued the One National Program Rule, which prohibits states from establishing their own separate fuel economy standards or passing laws that substantially affect fuel economy standards. As a result, California may no longer promulgate and enforce its tailpipe GHG emission standard and zero emission vehicle mandate (U.S. EPA, 2019).

*Energy Action Plan.* In 2003, the CEC and California Public Utilities Commission set forth their energy policy vision in the Energy Action Plan (EAP). The CEC adopted an update to the EAP in February 2008 (EAP II) that supplements the earlier EAP and examines the state's ongoing actions in the context of global climate change. The nine major action areas in the EAP include energy efficiency, demand response, renewable energy, electricity adequacy/reliability/infrastructure, electricity market structure, natural gas supply/demand/infrastructure, transportation fuels supply/demand/infrastructure, research/development/demonstration, and climate change (California Public Utilities Commission, 2008).

*Assembly Bill 1007: State Alternative Fuels Plan.* In response to AB 1007, the CEC prepared the state Alternative Fuels Plan in partnership with CARB and in consultation with other federal, state, and local agencies. The state Alternative Fuels Plan presents strategies and actions California must take to increase the use of alternative non-petroleum fuels in a manner that minimizes costs to California and maximizes the economic benefits of in-state production. The state Alternative Fuels Plan assessed various alternative fuels and developed fuel portfolios to meet California's goals to reduce petroleum consumption, increase alternative fuels use, reduce GHG emissions, and increase in-state production of biofuels without causing a significant degradation of public health and environmental quality (CEC, 2007).

*Bioenergy Action Plan (Executive Order S-06-06).* Executive Order (EO) S-06-06 establishes targets for the use and production of biofuels and biopower and directs state agencies to work together to advance biomass programs in California while providing environmental protection and mitigation. The EO establishes the following in-state production targets to increase the production and use of bioenergy, including ethanol and biodiesel fuels made from renewable resources:

- *Produce 20 percent of biofuels used in California by 2010,*
- *Produce 40 percent of biofuels used in California by 2020, and*
- *Produce 75 percent of biofuels used in California by 2050.*

EO S-06-06 also calls for the state to meet a target for use of biomass electricity. The 2011 Bioenergy Action Plan identifies potential barriers and recommends actions to address them so the state can meet its clean energy, waste reduction, and climate protection goals. The 2012 Bioenergy Action Plan updates the 2011 Plan and provides a more detailed action plan to achieve the following goals:

- *Increase environmentally and economically sustainable energy production from organic waste*
- *Encourage development of diverse bioenergy technologies that increase local electricity generation, combined heat and power facilities, renewable natural gas, and renewable liquid fuels for transportation and fuel cell applications*
- *Create jobs and stimulate economic development, especially in rural regions of the state*
- *Reduce fire danger, improve air and water quality, and reduce waste*



*California Building Energy Efficiency Standards (2019) - California Code of Regulations, Title 24, Part 6.* California Code of Regulations, Title 24, Part 6, is California's Energy Efficiency Standards for Residential and Non-residential Buildings. The 2019 Building Energy Efficiency Standards, adopted on May 9, 2018 became effective on January 1, 2020. The 2019 Standards move toward cutting nonrenewable energy use in new homes by more than 50 percent and require installation of solar photovoltaic systems for single-family homes and multi-family buildings of three stories and less. The 2019 Standards focus on four key areas: 1) smart residential photovoltaic systems; 2) updated thermal envelope standards (preventing heat transfer from the interior to exterior and vice versa); 3) residential and nonresidential ventilation requirements; 4) and nonresidential lighting requirements. Under the 2019 Standards, nonresidential buildings will be 30 percent more energy-efficient compared to the 2016 Standards, and single-family homes will be seven percent more energy-efficient. When accounting for the electricity generated by the solar photovoltaic system, single-family homes would use approximately 50 percent less energy compared to homes built to the 2016 standards (CEC, 2018).

*California Green Building Standards Code (2019) - California Code of Regulations Title 24, Part 11.* California's Green Building Code, referred to as CALGreen, was developed to provide a consistent approach to green building in the state. The CEC adopted updates to the 2016 CALGreen Standards in 2019 and took effect on January 1, 2020. These changes include the following: increasing the number of parking spaces that must be prewired for electric vehicle chargers in residential development; requiring all residential development to adhere to the Model Water Efficient Landscape Ordinance; and requiring more appropriate sizing of HVAC ducts (California Building Standards Commission, 2019).

#### Local Regulations

*Goleta Climate Action Plan.* The City of Goleta conducted a GHG emissions inventory in the City for 2007, which represents the baseline inventory, or existing conditions in the City. The inventory determined the City produced 325,532 MT CO<sub>2</sub>e, excluding stationary sources, which is equivalent to the annual GHG emissions generated by approximately 68,000 passenger vehicles. The major source of GHG emissions in the City are associated with transportation, which contributed 48 percent of the City's total GHG emissions, followed by building energy (electricity and natural gas use) at 44 percent (Goleta, 2014).

Adopted in July of 2014, the City of Goleta's Climate Action Plan (CAP; Goleta 2014) sets a 2020 target to achieve a 11 percent reduction below 2007 community-wide emissions. The CAP also has a 2030 target that is derived based on the linear trajectory between the 2020 reduction target and the 2050 target established by Executive Order S-3- 05, which sets a 2030 target of 26 percent below 2020 levels. The CAP contains GHG reduction measures for building energy efficiency, renewable energy, on-road transportation use, water consumption, off-road transportation equipment, solid waste generation, and municipal measures to meet the GHG reduction targets.

*Strategic Energy Plan: City of Goleta.* In December 2017, the City of Goleta City Council adopted a goal of 100 percent renewable electricity supply for the City by 2030 with an interim goal of 50 percent renewable electricity for municipal facilities by 2025. The City of Goleta then partnered with the County of Santa Barbara and the City of Carpinteria to develop a Strategic Energy Plan (SEP) to meet these goals and improve the resiliency of the local electricity system by promoting local renewable energy development and energy efficiency deployment. The SEP was completed in June 2019, with the objective of meeting the City's 100 percent renewable electricity goals and address resiliency concerns by promoting renewable energy development in Goleta in the following ways:



1. *Identifying the gap in forecasted electricity demand and baseline growth in renewable energy and energy efficiency to determine the necessary scope of the City's actions*
2. *Identifying a set of policy measures and strategies in diverse program areas ranging from drafting regulatory frameworks to creating new financing mechanisms*
3. *Evaluating the ability of these policy measures and strategies towards closing this gap and meeting the City's 100% renewable electricity goals*
4. *Identifying total resource potential for distributed solar development in Goleta on rooftops and parking lots*
5. *Creating a list of priority sites for renewable energy development throughout Goleta*

In recent years, the City has taken several steps toward achieving these goals, including, but not limited to, initiation of the PV solar system to be located at Goleta City Hall, securing grant funding for the EAP, and approval of Santa Barbara County's first 100 percent off-grid solar-powered electric vehicle charger for installation at City Hall in the summer of 2021.

*Goleta General Plan/Coastal Land Use Plan.* The City of Goleta General Plan Conservation Element (Goleta, 2006) is intended to guide land use planning by providing goals and policies to promote energy conservation and reduce GHG emissions. Goals and policies that are applicable to the Project include:

- ***Policy CE 13 Energy Conservation:*** *To promote energy efficiency in future land use and development within Goleta, encourage use of renewable energy sources, and reduce reliance upon fossil fuels*
  - ***CE 13.1 Energy Efficiency in Existing and New Residential Development:*** *The City shall promote the following practices in existing and new residential construction:*
    - a. *Retrofitting of existing residential structures to reduce energy consumption and costs to owners and tenants is encouraged. These retrofits may include: increased insulation, weather stripping, caulking of windows and doors, low-flow showerheads, and other similar improvements. Master metering is discouraged, and conversions to individual metering where practicable is preferred.*
    - b. *The City shall enforce the state's residential energy conservation building standards set forth in Title 24 through its plan check and building permit issuance processes.*
    - c. *New residential development and additions to existing homes shall be designed to provide a maximum solar orientation when appropriate, and shall not adversely affect the solar access of adjacent residential structures. Use of solar water heating systems, operational skylights, passive solar heating, and waste heat recovery systems is encouraged.*
  - ***CE 13.2 Use Renewable Energy Sources:*** *For new projects, the City encourages the incorporation of renewable energy sources. Consideration shall be given to incorporation of renewable energy sources that do not have adverse effects on the environment or on any adjacent residential uses. The following considerations shall apply:*
    - a. *Solar access shall be protected in accordance with the state Solar Rights Act (AB 2473). South wall and rooftop access should be*



*achievable in low-density residential areas, while rooftop access should be possible in other areas.*

- b. New development shall not impair the performance of existing solar energy systems. Compensatory or mitigation measures may be considered in instances where there is no reasonable alternative.*
- c. Alternative energy sources are encouraged, provided that the technology does not contribute to noise, visual, air quality, or other potential impacts on nearby uses and neighborhoods.*

*Goleta Green Building Program.* The City's Green Building Program took effect January 1, 2013 and was incorporated into Chapter 15.12, "Green Building Code," of the Goleta Municipal Code. The Green Building Code, adopts by reference the 2019 California Green Building Standards Code, and contains both standards as well as voluntary measures and incentives for projects utilizing green building practices. Under the Green Building Program, the City adopted a Green Building Policy under Resolution No. 12-65 for new municipal facilities, which states all new City-owned buildings of 2,000 square feet or greater must meet LEED Silver certification standards except in limited instances.

## **4.15.2 Impact Analysis**

### **a. Methodology and Significance Thresholds**

Methodology. Public Resources Code Section 21100(b)(3) states that an Environmental Impact Report (EIR) shall include "mitigation measures proposed to minimize significant effects on the environment, including, but not limited to, measures to reduce the wasteful, inefficient, and unnecessary consumption of energy." The physical environmental impacts associated with the use of energy including the generation of electricity and burning of fuels have been accounted for in Section 4.2, Air Quality, and Section 4.6, Greenhouse Gas Emissions.

Energy consumption is analyzed herein in terms of construction and operational energy. Construction energy demand accounts for anticipated energy consumption during construction of the Project, such as fuel consumed by construction equipment and construction workers' vehicles traveling to and from the Project site. Project construction activities would also use building materials that would require energy use during the manufacturing and/or procurement of that material. Section 15126.2(b) of the CEQA Guidelines states, "This [energy] analysis is subject to the rule of reason and shall focus on energy use that is caused by the project." This analysis reasonably assumes that manufacturers of building materials such as concrete, steel, lumber, or other building materials would employ energy conservation practices in the interest of minimizing the cost of doing business. Therefore, the consumption of energy required for the manufacturing and/or procurement of building and construction material is not within the scope of this analysis.

Operational energy demand accounts for the anticipated energy consumption during operation of the transportation system and land use scenario proposed by the Project, such as fuel consumed by cars, trucks, and public transit; natural gas consumed for on-site power generation and heating building spaces; and electricity consumed for building power needs, including, but not limited to lighting, water conveyance, and air conditioning.

The California Emissions Estimator Model (CalEEMod) Version 2016.3.2 was used to estimate energy consumption from construction and operation of Project development using information provided by the



Project applicant and CalEEMod default values for projects in Santa Barbara County. The CalEEMod results (Appendix B) provide the average travel distance, vehicle trip numbers, and vehicle fleet mix during construction and operation of the Project. The CalEEMod results also provide the estimated gross electricity and natural gas consumption by land use during operation of proposed development on the Project site. This information is used to determine the anticipated energy consumption during construction and operation of the Project.

The evaluation of potential energy-related impacts considers the equipment and processes employed during construction on the Project site and the land uses, location, and VMT per service population of the Project to qualitatively determine whether energy consumed during construction and operation would be wasteful, inefficient, or unnecessary.

Significance Thresholds. The following thresholds are based on Appendix G of the CEQA Guidelines. Impacts would be significant if the Project would:

1. *Result in wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation;*
2. *Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.*

#### **b. Project Impacts and Mitigation Measures**

**Impact E-1**      **Project construction and operation would require temporary and long-term consumption of energy resources. However, the Project would not result in the wasteful, inefficient, or unnecessary consumption of energy resources. This impact would be Class III, *less than significant [Threshold 1]*.**

Construction. Project construction would require energy resources primarily in the form of fuel consumption to operate heavy equipment, light-duty vehicles, machinery, and generators. Temporary grid power may also be provided to construction trailers or electric construction equipment. Table 4.15-4 summarizes the anticipated fuel consumption from construction equipment and vehicles, including construction worker trips to and from the Project site.



**Table 4.15-4  
 Construction Fuel Consumption**

Source	Fuel Consumption (Gallons)	
	Gasoline	Diesel
Construction Equipment & Hauling Trips <sup>1</sup>	–	130,881
Construction Vendor Trips	–	47,437
Construction Worker Vehicle Trips	92,426	–
<b>Total</b>	<b>92,426</b>	<b>178,317</b>

*See Appendix B for CalEEMod default values for fleet mix and average distance of travel, and energy calculation sheets.*

<sup>1</sup> After public circulation of the Revised Draft EIR in May 2021, the soil export amount was updated to 92,000 cubic yards, which would result in fewer haul truck trips and a shorter hauling period than what was modeled. Therefore, the estimates of diesel fuel construction from construction activity that are included in this section are greater than, and thus, more conservative than the actual fuel consumption for the Project.

As shown in Table 4.15-4, construction of the Project would require approximately 92,426 gallons of gasoline and 178,317 gallons of diesel fuel. Energy use during construction activities would be temporary in nature, and construction equipment used would be typical of similar-sized construction projects in the region. In addition, construction contractors would be required to comply with the provisions of 13 California Code of Regulations Sections 2449 and 2485, which prohibit diesel-fueled commercial motor vehicles and off-road diesel vehicles from idling for more than five minutes, which would minimize unnecessary fuel consumption. Construction equipment would be subject to the U.S. EPA Construction Equipment Fuel Efficiency Standard (40 Code of Federal Regulations Parts 1039, 1065, and 1068), which would minimize inefficient fuel consumption. Electrical power would be consumed during construction activities, and the demand, to the extent required, would be supplied from existing electrical infrastructure in the area.

Overall, construction activities would utilize fuel-efficient equipment consistent with state and federal regulations and would comply with state measures to reduce the inefficient, wasteful, or unnecessary consumption of energy. Construction contractors would not be anticipated to utilize fuel in a manner that is wasteful or unnecessary as a business practice to ensure cost efficiency. Moreover, the use of energy to construct new development on the Project site would be purposeful with the intention to construct additional market-rate, affordable, and senior housing as well as park space in Goleta. Therefore, Project construction would not result in potentially significant environmental effects due to the wasteful, inefficient, or unnecessary consumption of energy, and impacts would be less than significant.

Operation. Energy demand from operation of Project development would include fuel consumed by passenger vehicles; natural gas consumed for heating and cooking in residential buildings; and electricity consumed by new residences including, but not limited to lighting, water conveyance, and air conditioning. Project energy usage from vehicle fuel consumption and electricity and natural gas usage is summarized in Table 4.15-5.



**Table 4.15-5  
Operational Energy Usage**

Source	Energy Consumption	
<b>Vehicle Trips</b>		
Gasoline	202,206 gallons	22,199 MMBtu
Diesel	43,339 gallons	5,524 MMBtu
<b>Built Environment</b>		
Electricity	1,418,923 kWh	4,841 MMBtu
Natural Gas Usage	1,160,736 kWh	3,960 MMBtu

*kBtu = thousand British thermal units, MMBtu = million British thermal units, kWh = kilowatt-hours  
See Appendix B and Appendix I for fleet mix, electricity consumption values, and VMT.*

Vehicle Trips. As shown in Table 4.15-5, vehicle trips generated by the Project would require approximately 202,206 gallons of gasoline and 43,339 gallons of diesel fuel, or a total of 27,723 MMBtu of energy annually. Gasoline and diesel fuel demands would be met by existing gasoline stations in the vicinity of the Project site. The Project would facilitate bicycle riding among site residents by providing a bicycle parking area at each residential building and the park with a total of 120 bicycle parking spaces. In addition, the Project would include new sidewalk segments and walkways with connections to adjacent pedestrian and bicycle networks identified in the City’s Bicycle and Pedestrian Master Plan that would enhance non-vehicular circulation in the Project area. The proposed bicycle and pedestrian facilities would encourage the use of alternative transportation modes, which would reduce VMT and associated fuel consumption. Vehicles driven by future residents and visitors of the proposed uses on the Project site also would be subject to increasingly stringent federal and state fuel efficiency standards, minimizing the potential for the inefficient consumption of vehicle fuels. As a result, vehicle fuel consumption resulting from the Project would not be wasteful, inefficient, or unnecessary.

Built Environment. As shown in Table 4.15-5, the Project would consume approximately 1,418,923 kWh per year of electricity for lighting and large appliances, and approximately 3,960 MMBtu per year of natural gas for heating and cooking. Electricity would be supplied by SCE and natural gas would be provided by SoCalGas.

The Project would require permanent grid connections for electricity and natural gas. All new residential buildings must comply with the City’s Green Building Code and the 2019 California Green Building Code, as adopted by Goleta Municipal Code Chapter 15.12. Construction of the proposed residential buildings also would comply with all applicable 2019 California Building Energy Efficiency Standards for Residential and Non-residential Buildings and CALGreen (California Code of Regulations Title 24, Parts 6 and 11) or later versions, which are anticipated to be more stringent than the 2019 codes. This includes the provision of electric vehicle supply equipment, water-efficient plumbing fixtures and fittings, recycling services, solar on low-rise residential development, and other energy-efficient measures that would reduce the potential for the inefficient use of energy. The Exterior Lighting Report, prepared by Alan Noelle Engineering on May 20, 2015, describes the proposed exterior lighting concepts and fixtures for the Project. LED lighting will be the primary source of exterior lighting. LED lighting provides very efficient production of light, allows for directed light to only areas where it is needed and uses less electricity than other lighting sources. In accordance with Section 150.1(b)14 of the 2019 California Building Energy Efficiency Standards, all new residential uses under three stories must install PV solar panels that generate an amount of electricity equal to expected electricity usage. Therefore, 100 percent of modeled electricity usage for the





proposed low-rise residential uses would be supplied by PV solar panels (see Appendix B). As the Project would be subject to CALGreen requirements, the proposed development would be required to achieve a 20 percent increase in indoor water use efficiency. Implementation of the energy-efficient lighting and water features in Project design as well as installation of PV solar panels would limit the energy consumption necessary for operation of the proposed residential uses. As a result, energy consumption resulting from the proposed built environment would not be wasteful, inefficient, or unnecessary, and this impact would be less than significant.

**Mitigation Measures.** This impact would be less than significant, and no mitigation is required.

**Residual Impacts.** This impact would be less than significant without mitigation.

**Impact E-2      The Project would not conflict with or obstruct implementation of the City’s CAP, Strategic Energy Plan, energy efficiency standards, and General Plan/Coastal Land Use Plan policies, or any other applicable plans for renewable energy or energy efficiency. This impact would be Class III, *less than significant [Threshold 2]*.**

The City’s CAP, Strategic Energy Plan, General Plan/Coastal Land Use Plan, and Municipal Code contain measures intended to increase energy efficiency and expand the use of renewable energy in the City. As discussed under Impact E-1, the Project would include energy efficiency measures to achieve energy requirements in the City’s Municipal Code. The Project would implement LED lighting, PV solar panels on low-rise residential uses, and indoor water use efficiency measures to limit the energy consumption necessary for operation of the proposed residential uses and meet the City’s renewable energy goals. The Project also would facilitate bicycle riding among site residents by providing a bicycle parking area at each residential building and the park with a total of 120 bicycle parking spaces. In addition, the Project would include new sidewalk segments and walkways with connections to adjacent pedestrian and bicycle networks identified in the City’s Bicycle and Pedestrian Master Plan that would enhance non-vehicular circulation in the Project area. The proposed bicycle and pedestrian facilities and access would encourage the use of alternative transportation modes, which would reduce VMT and associated fuel consumption. Furthermore, required compliance with all applicable 2019 California Building Energy Efficiency Standards for Residential and Non-residential Buildings and CALGreen (California Code of Regulations Title 24, Parts 6 and 11), including the provision of electric vehicle supply equipment, would promote the use of electric vehicles and reduce vehicle fuel consumption. With incorporation of energy efficiency measures in the proposed buildings and decreased fuel consumption through facilitation of reduced and alternative travel, the Project would not conflict with or obstruct implementation of the City’s CAP, Strategic Energy Plan, or any other applicable plans for renewable energy or energy efficiency. This impact would be less than significant.

**Mitigation Measures.** This impact would be less than significant, and no mitigation is required.

**Residual Impacts.** This impact would be less than significant without mitigation.

**Cumulative Impacts.** A project’s environmental impacts are “cumulatively considerable” if the “incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects” (CEQA Guidelines Section 15065[a][3]). The geographic scope for energy consumption is Santa Barbara County.



This geographic scope is appropriate because the smallest scale at which energy consumption information is readily available is the county level.

Cumulative development in Santa Barbara County would increase demand for energy resources. However, new iterations of the California Building Energy Efficiency Standards and CALGreen would require increasingly more efficient appliances and building materials that reduce energy consumption in new development. In addition, vehicle fuel efficiency is anticipated to continue improving through implementation of the existing Pavley regulations under AB 1493, and implementation of the Santa Barbara County Association of Governments (SBCAG) 2040 Regional Transportation Plan and Sustainable Communities Strategy (2040 RTP-SCS) would reduce per capita VMT in Santa Barbara County. Cumulative development in Santa Barbara County will also be required to be consistent with applicable provisions of the SBCAG 2040 RTP-SCS and with the County of Santa Barbara Energy and Climate Action Plan, which identifies the County's GHG emissions reduction goals and strategies to achieve these goals.

Project development would be constructed in accordance with the City's CAP and General Plan/Coastal Land Use Plan policies; California Building Energy Efficiency Standards; and CALGreen. This would include energy-saving features that would reduce the potential for wasteful, inefficient, and unnecessary consumption of energy resources. As a result, the Project would not have a cumulatively considerable contribution to a significant cumulative impact related to the wasteful, inefficient, and unnecessary consumption of energy resources.



*This page intentionally left blank*



## 4.16 WILDFIRE

### 4.16.1 Setting

**a. Project Site Setting.** Historically, the Project site was used for grazing and agriculture. The Project site is currently undeveloped and sparsely vegetated with weeds and shrubs. There are also several rock piles, pieces of construction machinery, and storage containers that are stored on-site. The Project site is surrounded by existing development. The Union Pacific Railroad tracks are located approximately 50 feet from the Project site's northern property line, with the U.S. 101 located immediately north of the railroad tracks. A new 465-unit residential development (The Village at Los Carneros) is located west of the Project site across South Los Carneros Road. Industrial businesses are located along Aero Camino Road to the east of the Project site. A 335-unit multi-family residential development (Willow Springs I and II) is located south of the Project site across Camino Vista Road. Surrounding land uses are shown on Figure 2-2.

According to the California Department of Forestry and Fire Protection (CalFire) Fire Hazard Severity Zone maps, the Project site is located in a Local Responsibility Area (LRA). LRAs are the areas of California where local governments have financial responsibility for wildland fire protection. Classification of a fire hazard severity zone as a moderate, high, or very high fire hazard zone is based on a combination of how a fire will behave and the probability of flames and embers threatening buildings in the area. Based on the CalFire map of Very High Fire Hazard Severity Zones in Local Responsibility Areas in Santa Barbara County, the Project site is located in a "Non-Very High Fire Hazard Severity Zone" (CalFire 2008). According to Figure 5-2, Fire, Flood, and Tsunami Hazards Map, in the City of Goleta General Plan/Coastal Land Use Plan, the Project site is not located in an identified Fire Hazard Severity Zone (City of Goleta 2016).

The Santa Barbara County Fire Protection District (SBCFD) provides fire protection and emergency services in Goleta. The nearest fire station that serves the Project site is Fire Station 14, located at 320 North Los Carneros Road, approximately ½ mile north of the Project site. The Project site falls within the existing service area of this station. Primary access to the Project site would be provided via three driveways on Camino Vista, which extends along the southern frontage of the site. Regional access to the study area is provided by U.S. 101 via Los Carneros Road.

**b. Regulatory Setting.** The following regulations address wildfire hazards and risk.

California Regulations. The Division of Occupational Safety and Health of California (CAL-OSHA) requires that a minimum of two firefighters, operating as a team, conduct interior firefighting operations. In addition, a minimum of two firefighters must be positioned outside and remain capable of rapid intervention and rescue if needed. This is also known as the State of California's "Two-In, Two-out" law [29 CFR 1910.134(g)(4)]. If there are only three firefighters assigned to a fire engine, that engine company must wait for additional back-up to arrive before being able to engage in interior firefighting operations in order to be in compliance with CAL-OSHA regulations.

Local Regulations. Building standards for high fire hazard areas, including the erection, construction, enlargement, alteration, repair, improvement, removal, conversion, demolition, occupancy, equipment, use, height, area, and maintenance of all buildings and structures, are identified in the Building Code of the City of Goleta, which adopts by reference the 2019 California Building Code.



SBCFD uses the service standard of one on-duty firefighter per 4,000 residents as the absolute maximum population that can be adequately served, and the National Fire Protection Agency's (NFPA) five-minute response time standard from the fire station to the location of the emergency. The County has also adopted a number of fire safety requirements and regulations, as well as standard fees, for new development. SBCFD currently imposes a fire mitigation fee to all new development occurring within the SBCFD. This fee funds the construction of new fire stations and acquisition of new equipment and apparatus. The City of Goleta also requires payment of a Fire Impact Fee for all new development (City of Goleta Development Impact Fees - FY 2020/2021, City of Goleta 2020).

Fire flow requirements are based on SBCFD standards, which are based on building size, type of construction per California Building Code, and fire flow duration. A two-hour fire flow duration is required by California Code of Regulations Title 22.

#### 4.16.2 Impact Analysis

**a. Methodology and Significance Thresholds.** The City of Goleta's Environmental Thresholds and Guidelines Manual does not contain specific thresholds for assessing the significance of impacts due to wildfire. CEQA Guidelines Section 15126.2(a) provides guidance regarding consideration and discussion of significant environmental impacts related to hazards:

- *The EIR shall also analyze any significant environmental effects the project might cause or risk exacerbating by bringing development and people into the area affected.*
- *The EIR should evaluate any potentially significant direct, indirect, or cumulative environmental impacts of locating development in areas susceptible to hazardous conditions (e.g., floodplains, coastlines, wildfire risk areas), including both short-term and long-term conditions, as identified in authoritative hazard maps, risk assessments or in land use plans addressing such hazards areas.*

In the *California Building Industry Association v. Bay Area Air Quality Management District* (CBIA v. BAAQMD; December 17, 2015, Case No. S213478) Supreme Court case, the Court unanimously concluded that agencies subject to CEQA generally are not required to analyze the impact of existing environmental conditions on a project's future users or residents. However, when a proposed project's risks "exacerbate" environmental hazards or conditions that already exist, an agency must analyze the potential impact of such hazards on future residents or users. Accordingly, the Project was analyzed in conjunction with the CBIA v. BAAMQD ruling to the extent that the Project results in wildfire hazards or risk, or exacerbates wildfire conditions that already exist.

Appendix G of the CEQA Guidelines contains a checklist of environmental factors to be assessed to determine the potential for significant impacts. Based on this checklist, the Project's impact would be significant if it exceeds the following thresholds.

*If located in or near state responsibility areas or lands classified as very high fire hazard severity zones:*

1. *The Project would substantially impair an adopted emergency response plan or emergency evacuation plan.*



2. *The Project would exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire due to slope, prevailing winds, and other factors.*
3. *The Project would require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment; or*
4. *The Project would expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.*

#### **b. Project Impacts and Mitigation Measures**

**Impact WF-1** **The Project is not located in an adopted emergency response plan or emergency evacuation area. This impact would be Class III, *less than significant [Threshold 1].***

Given the Project's location within an urbanized area and outside of high fire hazard areas, the tsunami run-up area, and other flood hazard areas, the Project site is not within any adopted emergency response or evacuation plan area. The Project also would be required to be designed in accordance with applicable Santa Barbara County Fire Department standards, including those that address minimum driveway width, roadway naming, building height, signage and addressing, fire hydrants, fire sprinklers, and emergency access. Compliance with applicable development standards would ensure that the Project would not impair provision of access to either the Project site or surrounding development in the event of an emergency or evacuation. Therefore, this impact would be less than significant.

**Mitigation Measures.** Mitigation would not be required because no significant impacts have been identified.

**Residual Impact.** Impacts would be less than significant without mitigation.

**Impact WF-2** **The Project would not expose project occupants to significant wildfire risks due to slope, prevailing winds, or other factors. This impact would be Class III, *less than significant [Threshold 2].***

Currently, there is no structural development on the Project site. Construction equipment and containers as well as a substantial amount of stockpiled soil are stored onsite. The topography of the Project site is relatively flat to gently sloping with the exception of the moderately steep slopes that define the boundary of the stockpile soils. A sparse to moderate growth of weeds and brush covers the Project site. The Project would include mass grading to prepare the Project site to support the residential development. As described in Section 4.16.1.a, *Project Site Setting*, the Project site is located in an LRA in an area identified by CalFire as a "Non-Very High Fire Hazard Severity Zone" (CalFire 2008). According to Figure 5-2, Fire, Flood, and Tsunami Hazards Map, in the City of Goleta General Plan/Coastal Land Use Plan, the Project site is not located in an identified Fire Hazard Severity Zone (City of Goleta 2016). The Project site also is surrounded on all sides by roadways, the Union Pacific Railroad, and urban development. Accordingly, the Project would not occur in a state responsibility area or land classified as a very high fire hazard severity zone, or on steep slopes or in a highly vegetated area, such that development of the site would expose project occupants to significant wildfire risks due to slope,



prevailing winds, or other factors. The proposed development also would be required to comply with all applicable SBCFD standards and City Building Code requirements to further avoid and minimize potential fire risks. Direct and indirect impacts related to wildfire risk due to slope, prevailing winds, or other factors would be less than significant.

**Mitigation Measures.** Mitigation would not be required because no significant impacts have been identified.

**Residual Impact.** Impacts would be less than significant without mitigation.

**Impact WF-3** The Project would not require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment. This impact would be Class III, *less than significant [Threshold 3]*.

The Project would include mass grading to prepare and level the site to support the proposed residential development. The project would include installation of driveways to provide site access and underground utilities to support the residential development. The Project and associated infrastructure would be located in an urbanized area and outside of high fire hazard areas. The proposed development would also be required to comply with all applicable SBCFD standards and City Building Code requirements to avoid and minimize potential wildfire risks. Therefore, exacerbation of fire risk from installation and maintenance of project infrastructure would be less than significant.

**Mitigation Measures.** Mitigation would not be required because no potentially significant impacts have been identified.

**Residual Impact.** Impacts would be less than significant without mitigation.

**Impact WF-4** The Project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. This impact would be Class III, *less than significant [Threshold 4]*.

The Project would be located in an urbanized area and outside of high fire hazard areas and flood hazard areas. The Project would include mass grading to prepare and level the site to support the proposed residential development and would include bioretention basins/areas and permeable pavement throughout the site to facilitate stormwater drainage. The proposed development also would be required to comply with all applicable SBCFD standards and City Building Code requirements to further avoid and minimize potential wildfire risks, including downstream flooding and landslides. Therefore, direct and indirect impacts from exposure of people and structures to wildfire risks, including downslope or downstream flooding or landslides, would be less than significant.

**Mitigation Measures.** Mitigation would not be required because no potentially significant impacts have been identified.

**Residual Impact.** Impacts would be less than significant without mitigation.



**c. Cumulative Impacts.** Cumulative projects proposed at the periphery of and just beyond the Goleta city limits would have the potential to expose people and structure to wildfire hazards by developing and redeveloping in areas near state responsibility areas and lands classified as very high fire hazard severity zones. The magnitude of hazards for individual projects would depend upon the location, type, and size of development and the proximity of those individual sites to specific fire hazard zones. Wildfire hazard evaluations would be completed on a case-by-case basis for future development. Compliance with applicable SBCFD standards and state and local regulations pertaining to fire management would address impacts related to these wildfire hazards associated with future development in and around the city. The Project would not exacerbate or expose people or structures to risks associated with wildfire and would not impair emergency access or evacuation in the Project area. Therefore, the Project would not contribute to cumulative impacts due to wildfire, and cumulative impacts related to wildfire would be less than significant.





*This page intentionally left blank*



## **4.17 EFFECTS FOUND NOT TO BE SIGNIFICANT**

This section addresses the potential environmental effects of the Project that have been found not to be significant. The items listed below that were found not to be significant are contained in the City's *Environmental Thresholds and Guidelines Manual* and the environmental checklist form included in Appendix G of the most recent update of the CEQA Guidelines. Any items not addressed in this section were addressed in Section 4.0, *Environmental Impact Analysis*, of this EIR. Section 4.0 also includes an expanded discussion of the settings under each environmental factor discussed therein.

### **4.17.1 Agriculture and Forestry**

Historically, the Project site was used for grazing and agriculture (including row crops and orchards). Since that time the site has been substantially altered by grading, surrounding urban development including industrial, research park and office development, on-site residential development, and significant stockpiling of fill soils. Initial grading on-site consisted of clearing and grubbing of orchard trees and root structures. Surface material was scraped and placed in windrows. The site is no longer designated for agricultural uses, and is not zoned for agricultural use. Currently, the Project site consists of 13 undeveloped lots. There is no structural development on site; however, there are pieces of construction equipment and containers stored on site, as well as stockpiled soil. The site is not actively farmed, and conversion of the Project site to residential development would not result in the loss of significant, viable, local farmland. The project site has not been identified as timber or forest land, and there is no timber or forest on the site. Consequently, the Project would not interfere with or convert existing farmlands or forest lands to urban uses. Therefore, no impacts related to agriculture and forestry would occur.

### **4.17.2 Biological Resources (Habitat and Natural Community Conservation Plans)**

No adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan applies to the Project site. Therefore, the Project would not conflict with any such plans. No impact would occur.

### **4.17.3 Cultural Resources (Historic, Paleontological)**

The Project site is undeveloped. Consequently, there are no State or locally listed or eligible historic structures or resources on-site, and Project implementation would not result in any impact on such resources in Goleta. There are no unique paleontological resources or sites, or unique geologic features on the Project site. No such impacts to these types of resources would occur as a result of Project implementation.

### **4.17.4 Geology and Soils (Surface Rupture, Landslides, Lateral Spreading, Septic Systems)**

Based on the *Geotechnical Engineering Report* conducted by Earth Systems Pacific on July 8, 2014 and a review of geologic hazards mapping in the Goleta General Plan, no active or potentially active faults or landslide hazard areas are located onsite, nor are onsite soils susceptible to lateral spreading. Impacts related to these geologic hazards would be less than significant.



The Project would not be located on slopes exceeding a 20 percent grade and the Project grading would not result in construction of cut slopes exceeding a grade of 1.5 horizontal to 1 vertical or 15 feet in height. Therefore, impacts related to slopes would be less than significant.

The Project would connect to the existing municipal waste disposal system and would not require the use of septic tanks or alternative waste water disposal systems. Therefore, impacts related to soils incapable of adequately supporting the use of septic tanks would not occur.

#### **4.17.5 Hazards and Hazardous Materials (Airports, Emergency Evacuation and Response)**

The Project site is not located near a private airstrip, but is located within two miles of the Santa Barbara Municipal Airport. However, the property is not located within any of the airport's approach or clear zones and is not subject to review by the Airport Land Use Commission. Therefore, the Project would not be exposed to significant airport safety hazards. Given the Project's location within an urbanized area and outside of the tsunami run-up area or any flood hazard area, the Project site is not within any adopted emergency response or evacuation plan.

#### **4.17.6 Hydrology and Water Quality (Flooding, ~~Seiche, Mudflow~~ Release of Pollutants from Inundation, Impeding or Redirecting Flood Flows)**

No portion of the Project site is within or adjacent to a local 100-year flood hazard area. The Project site is not within a levee, dam inundation area and is not otherwise at risk of inundation ~~by seiche or mudflow~~. Therefore, no impacts related to ~~identified flood hazard areas or~~ redirection of flood flows or risk of release of pollutants due to inundation ~~exposure of people to a risk of loss, injury, or death involving flooding~~ would occur.

#### **4.17.7 Land Use (Divide an Established Community, ~~Habitat & Conservation Plans~~)**

~~No habitat conservation or natural community conservation plans apply to the Project site or would be affected by the Project.~~ The Project is in an infill area and would not divide an established community. No impacts would occur.

#### **4.17.8 Mineral Resources**

No known mineral resources are located within the Project site. Therefore, no impacts related to mineral resources would occur.

#### **4.17.9 Noise (Airports)**

Pursuant to the Goleta General Plan, the Project site is located outside of the current and the anticipated 2030 60 dBA noise contour of the Santa Barbara Municipal Airport. Therefore, airport noise impacts on the Project, either in the near or foreseeable future, would be less than significant. No private airport impacts on the Project would occur since there are no private airports within the vicinity of the City.



#### **4.17.10 Objectionable Odors**

The Project would construct ~~360~~ 332 residential units and associated amenities and merge 13 existing lots into ~~3~~ 4 lots. This use would not create objectionable odors that would affect a substantial number of people.

#### **4.17.11 Population and Housing**

The Project site is currently undeveloped. The Project would not displace any existing housing units or cause the displacement of any people. Therefore, no impacts related to displacement would occur.

#### **4.17.12 Transportation/Traffic (~~Airports, Design Hazards, Emergency Access~~)**

~~The Project would not have an impact on airport operations and/or flight patterns because the Project site does not lie within the clear or approach zone of any public or private airports.~~ The Project would be required to be designed in accordance with applicable Santa Barbara County Fire Department standards, including those that address minimum driveway width, roadway naming, building height, signage and addressing, fire hydrants, fire sprinklers, and emergency access. Compliance with applicable development standards would ensure that the Project would not result in significance design hazards, and that it would have no impact on the provision of emergency access to either the project site or surrounding development.



*This page intentionally left blank.*



## 5.0 OTHER CEQA DISCUSSIONS

This section discusses growth inducing impacts and irreversible environmental impacts that would be caused by the Project.

### 5.1 GROWTH INDUCING IMPACTS

CEQA Guidelines § 15126.2(d) requires a discussion of a proposed project's potential to induce growth by, for example, fostering economic or population growth, including ways in which a project could remove an obstacle to growth. Growth does not necessarily create significant physical changes to the environment. However, depending upon the type, magnitude, and location of growth, it can result in significant adverse environmental effects. The Project's growth-inducing potential is therefore considered significant if growth induced by the Project could result in significant physical effects in one or more environmental issue areas. The most commonly cited example of how an economic effect might create a physical change is where economic growth in one area could create blight conditions elsewhere by causing existing competitors to go out of business and the buildings to be left vacant.

#### 5.1.1 Population and Economic Growth

The Project would add ~~360~~ 332 new residential units to Goleta's housing stock. The current population of Goleta is ~~30,7653~~ 32,223. ~~Based on an average household size of 2.76 persons for workforce housing (228 units proposed) and 1.11 persons for senior housing (132-125 units proposed), development of the Project would accommodate approximately 776-768 persons (Department of Finance, 2015). Based on an average household size of 2.72 persons for market-rate housing (228 units proposed), 2.58 persons for family affordable housing (63 units proposed) and 1.36 persons for senior affordable housing (41 units proposed), the Project's estimated population would be approximately 839 persons (Department of Finance, 2020; Towbes, 2014; HACSB, 2020).~~ Therefore, the Project would be expected to increase the City's population to ~~31,541~~ 33,062. Consequently, the population generated by the Project would not exceed the Santa Barbara County Association of Government's (SBCAG) 2040 population forecast of ~~34,600~~ 34,300 for Goleta (SBCAG, January 2019). The Project is not expected to induce any additional population growth beyond that associated with the Project itself.

According to Table 3-1 in Section 3.0, *Related Projects*, cumulative development in Goleta involves ~~1,344~~ 741 residential units. Assuming 2.76 persons per household, this amount of residential development would add ~~3,709~~ 2,045 residents (~~1,344~~ 741 dwelling units x 2.76 people/dwelling unit). Cumulative development and the Project would increase the City's population to ~~35,250~~ 35,107 (current population of ~~30,765~~ 32,223 + ~~3,709~~ 2,045), which would exceed the SBCAG 2040 population forecast by ~~650~~ 807. The physical environmental effects of cumulative development are addressed in Section 4.0 of this EIR as well as in the environmental documents prepared for each individual project.

The Project includes residential development rather than commercial development. As such, the Project would not directly contribute to economic growth by providing additional space for business. Under the Project, ~~360~~ 332 new residential units could be developed, which may indirectly contribute to economic growth. The additional population associated with the Project would likely contribute to the local economy as demand for general goods increases, which in turn could result in economic growth for various sectors. Project residents would increase the City population by about 2.5% and would be expected to primarily use existing City commercial services, creating only a minor need for expanded



services. The Project would not be expected to induce economic expansion to the extent that significant environmental impacts directly associated with the Project's contribution would occur.

### 5.1.2 Removal of Obstacles to Growth

The Project would facilitate residential development on an undeveloped property historically used for agriculture and soil stockpiling in Goleta. (For additional detail on the historical use of the project site, refer to Section 2.3.1, *Historic and Current Uses*, in Section 2.0, *Project Description*. The Project is surrounded by existing urban development and would rely upon existing roadways (primarily Camino Vista, Los Carneros Way, and S. Los Carneros Road) for site access. No new roads would be required. The existing Camino Vista that fronts on the south side of the Project site will be widened to 43-foot curb to curb allowing on-street parking on the north side of the road. Access to the Project site would be provided via three driveway connections providing ingress and egress to Camino Vista. However, neither of these changes would result in new roadways, or would open any new areas to potential development. In addition, the Project would utilize existing water, wastewater and solid waste facilities that serve the urban areas of Goleta (see Section 4.14, *Utilities and Service Systems*). Service would be provided through minor extensions of existing utility infrastructure. No additional infrastructure or facilities beyond those necessary to accommodate the Project would be required. No other undeveloped land in the vicinity of the Project would benefit in terms of growth from the extension/provision of urban services to the Project site. Because the Project constitutes infill development within an urbanized area and does not require the extension of new infrastructure that would open up additional undeveloped areas to potential future development, Project implementation would not remove an obstacle to growth.

## 5.2 SIGNIFICANT, IRREVERSIBLE CHANGES

CEQA Guidelines § 15126.2(b) requires EIRs to identify those significant impacts that cannot be reduced to a less than significant level with the application of mitigation measures. The implications and reasons why the Project is being proposed, notwithstanding, must be described. ~~As discussed in Section 4.0, *Environmental Impact Analysis*, the Project result in significant and unavoidable impacts related to obstruction of Scenic Views (Impact AES-1 in Section 4.1, *Aesthetics*), Risk of Upset (Impact HAZ-2 in Section 4.7, *Hazardous Materials/Risk of Upset*), and Land Use Plan Consistency (Impact LU-1 in Section 4.9, *Land Use and Planning*).~~

Because the Project includes a General Plan Amendment (14-049-GPA), CEQA Guidelines § 15126.2(c) requires a discussion of any significant irreversible environmental changes which would be caused by the Project should it be implemented. Such significant irreversible environmental changes may include the following:

- *Use of non-renewable resources during the initial and continued phases of the Project which would be irreversible because a large commitment of such resources makes removal or non-use unlikely.*
- *Primary impacts and, particularly secondary impacts (such as highway improvement which provides access to a previously inaccessible area) which generally commit future generations to similar uses.*
- *Irreversible damage which may result from environmental accidents associated with the Project.*



Construction of the Project would require building materials and energy, some of which are non-renewable resources. Consumption of these resources would occur with any development in the region and are not unique to the Project. The addition of new residential units would irreversibly increase local demand for non-renewable energy resources such as petroleum and natural gas. Additional vehicle trips associated with the Project would incrementally increase local traffic and regional air pollutant and greenhouse gas emissions. As discussed in Section 4.13, *Transportation/Circulation*, Section 4.2, *Air Quality*, and Section 4.6, *Greenhouse Gas Emissions*, impacts resulting from traffic generated by future development would be less than significant or could be mitigated to a less than significant level.

Growth accommodated under the Project would require an irreversible commitment of law enforcement, fire protection, water supply, wastewater treatment, and solid waste disposal services. However, these impacts would be less than significant or would be reduced to a less than significant level with mitigation.

### **5.3 ENERGY EFFECTS**

~~The CEQA Guidelines Appendix F requires that EIRs include a discussion of the potential energy consumption and/or conservation impacts of Project, with particular emphasis on avoiding or reducing inefficient, wasteful or unnecessary consumption of energy.~~

~~As discussed previously, the Project would involve the use of energy during the construction and operational phases of the Project. Energy use during the construction phase would be in the form of fuel consumption (e.g.: gasoline and diesel fuel) to operate heavy equipment, light duty vehicles, machinery, and generators for lighting. In addition, temporary grid power may also be provided to any temporary construction trailers or electric construction equipment. Long-term operation of the Project would require permanent grid connections for electricity and natural gas service to power internal and exterior building lighting, and heating and cooling systems. In addition, the increase in vehicle trips associated with the Project would increase fuel consumption within the City.~~

~~The Project would be subject to the energy conservation requirements of the Title 24 of the California Code of Regulations, known as the California Building Standards Code or Title 24, and Chapter 15.13 of the Goleta Municipal Code, "Energy Efficiency Standards," which require energy savings measures that exceed the Title 24 standards by 15%. Adherence to the City's Energy Efficiency Standards and other energy conservation requirements would ensure that energy is not used in an inefficient or wasteful manner. In addition, the location of the Project site in proximity to existing job opportunities and commercial services would generally limit vehicle miles traveled (VMT) and associated travel-related energy use.~~





*This page intentionally left blank.*



## 6.0 ALTERNATIVES

As required by Section 15126.6 of the CEQA Guidelines, this EIR examines a range of reasonable alternatives to the Project. The following alternatives are evaluated in this EIR:

- *Alternative 1: No Project/No Development*
- *Alternative 2: Avoid CA-SBA-56 and Buffer*
- *Alternative 3: Increase Railroad/Freeway Buffer and Higher Sound Barrier*
- *Alternative 4: Reduced Building Height*
- *Alternative 5: Mixed Use Development*

This section also includes a discussion of the “environmentally superior alternative” among the alternatives analyzed.

The following are the Project objectives as described in Section 2.0, *Project Description*.

1. *Complete development of residential units in the Central Hollister Residential Development area on Affordable Housing Opportunity Site.*
2. *Assist City in providing affordable housing and complying with Regional Housing Needs Allocation (RHNA) requirements.*
3. *Construct ~~41~~ senior affordable apartment units, ~~63~~ family affordable apartment units, and ~~228~~ market-rate apartment units ~~at or near~~ up to the maximum density allowed by the General Plan and in keeping with the Housing Element.*
4. *Create an infill housing development project that meets the density range of 20 to 25 dwelling units per acre as envisioned for the site in the City’s General Plan. ~~of medium density affordable and market rate rental housing.~~*
5. *Fully utilize the existing public infrastructure (Camino Vista and all utilities) provided by Willow Springs and Willow Springs II.*
6. *Promote City planning goals by developing a medium density residential project located conveniently close to a major transportation corridor and to employment and recreational areas.*
7. *Provide a public neighborhood park in the location shown in General Plan Figure 3-2 (Park and Recreation Plan Map).*
8. *Protect, and preserve on-site cultural resources.*
9. *Develop multifamily residential housing while maintaining visual resources.*

### 6.1 ALTERNATIVE 1: NO PROJECT/NO DEVELOPMENT

#### 6.1.1 Alternative Description

Alternative 1, the “No Project/No Development” alternative, assumes that no residential development would occur on the Project site and that environmental conditions would not change. The Project site would remain vacant. This alternative would not add residents to the City’s population. Absent additional housing, population growth in the City would be accommodated through other proposed residential development projects within the City.



This alternative would not meet any of the Project objectives, including those related to the development of affordable rental housing to meet the City's Regional Housing Needs Assessment (RHNA) requirements.

### 6.1.2 Impacts

Implementation of this alternative would not result in any physical changes to the Project site since it would not accommodate any new development. This alternative would remove the unavoidably significant impacts with respect to cumulative cultural resource impacts (refer to Section 4.4, *Cultural Resources*), construction noise (refer to Section 4.10, *Noise*), and solid waste (refer to Section 4.14, *Utilities and Service Systems*). This alternative would also remove other significant, but mitigable impacts with respect to visual character (refer to Section 4.1, *Aesthetics*), light and glare (refer to Section 4.1, *Aesthetics*), ~~health risk (refer to Section 4.2, *Air Quality*)~~, special status plant and animal species and habitats (refer to Section 4.3, *Biological Resources*), intact CA-SBA-56 deposits and the known undisturbed human burial site (refer to Section 4.4, *Cultural Resources*), geotechnical impacts (refer to Section 4.5, *Geology and Soils*), and site drainage (refer to Section 4.8, *Hydrology and Water Quality*). However, the site would retain the existing Medium Density Residential (R-MD) zoning and the Affordable Housing Opportunity Site designation pursuant to the City's General Plan, which would accommodate future residential development on the site.

## 6.2 ALTERNATIVE 2: AVOID CA-SBA-56 AND BUFFER

### 6.2.1 Alternative Description

In contrast to the developable area for the Project, which only excludes the 3.31 acres within the archaeological constraint area (CA-SBA-56), Alternative 2, the "Avoid CA-SBA-56 and Buffer" alternative would eliminate the portion of the proposed development that lies within the boundary of the CA-SBA-56 archaeological site as well as the 50-foot buffer surrounding CA-SBA-56, which includes Buildings 4, 5, 6, and 7 and on-site parking. In order to avoid impacting CA-SBA-56 and the 50-foot buffer, some or all of four proposed residential buildings in Area B (Buildings 4, 5, 6, and 7) as well as several uncovered and carport parking spaces would be eliminated from the plan.

Under this alternative, the total number of proposed units on the Project site would be reduced by 120 to 212 units, compared to the Project's 332 units. The elimination of development within the 50-foot buffer surrounding CA-SBA-56 would reduce the net developable area of the Project site from 14.05 acres to approximately 12.23 acres. Based on the minimum density of 20 units/acres associated with the Affordable Housing Opportunity Site designation, a minimum of 245 units would need to be provided on the 12.23-acre site. The reduction of residential units would be to market-rate units, resulting in 108 market-rate units, 63 family affordable units, and 41 senior affordable units under this alternative. Based on an average household size of 2.72 persons for market-rate housing (108 units proposed), 2.58 persons for family affordable housing (63 units proposed), and 1.36 persons for senior affordable housing (41 units proposed), this alternative would add an estimated 513 new residents (Department of Finance, 2020; Towbes, 2014; and HACSB, 2020). The site plan for this alternative would require reconfiguration of the residential structures, site access, and parking, on the remainder of the Project site to accommodate 212 units. This may require most if not all of the residential buildings to be three stories in height. Depending on the design, this change may affect the bedroom mix. The park in the central portion of the site would remain and would be expanded to cap the remainder of CA-SBA-56 and the 50-foot buffer.

Under this alternative, Objective 3 would not be ~~fully met to the same extent as the proposed Project and~~ Objective 4 would not be met due to the reduced number of residential units on the Project site.



Objectives 1, 4, 5, and 6, which relate to providing residential development on the site that completes the development of the Central Hollister Residential Development area, would continue to be met at the minimum density anticipated by the Affordable Housing Overlay. Objectives 7 and 8 to provide a public park consistent with the General Plan for the Project site and to protect on-site cultural resources would continue to be met.

### 6.2.2 Impact Analysis

**a. Aesthetics.** Under this alternative, the Project site would be developed with structures that would alter views of and through the Project site. Eliminating all or part of Buildings 4, 5, 6, and 7 would result in a smaller footprint of development than the Project. This alternative would not affect the affordable housing components of the Project and, thus, would not require additional units or height to provide affordable housing options. Therefore, this alternative would not involve alteration of buildings to a height that would substantially affect public views of the Santa Ynez Mountains from S. Los Carneros Road at Calle Koral looking northward, which is a City-designated view corridor. Views from the Los Carneros Road overpass to the south and southeast are also designated view corridors. Structures would rise nearly to the level of the horizon, but would not obstruct scenic views of the Pacific Ocean. Thus, similar to the Project, Alternative 2 would result in a less than significant impact to the designated scenic view corridor looking northward from S. Los Carneros Road at Calle Koral.

This alternative would still result in the removal of native shrub vegetation on most of the site. However, as with the Project, this impact would be less than significant. This alternative would have a smaller footprint of development compared to the Project; nevertheless, it would permanently alter the existing visual character of the Project site. This alternative involves replacing open and undeveloped land with residential development. ~~As with the Project, this impact would remain potentially significant, and this alternative would continue to require mitigation to reduce potentially significant impacts from the Project's massing and architectural style and to ensure that building heights remain consistent with adjacent development (Mitigation Measures AES 4[a] and AES 4[b]).~~ However, as for the Project, this alternative would be generally compatible with adjacent development and landscaping would incrementally reduce changes to the character and quality of the site and surroundings.

New sources of light and glare on and around the Project site due to the introduction of new structures, hardscape and associated lighting would be similar to the Project. Therefore, this impact would remain potentially significant, and this alternative would continue to require mitigation related to potential impacts associated with new sources of light and glare (Mitigation Measure AES-5).

**b. Air Quality.** As with the Project, this alternative would include construction of new residential units which would generate temporary increases in localized air pollutant emissions. Ozone precursors NO<sub>x</sub> and ROG, as well as carbon monoxide (CO), would be still emitted by construction equipment such as graders, backhoes, and generators, while fugitive dust (PM<sub>10</sub>) would still be emitted by activities that disturb the soil, such as grading and excavation, road construction and building construction. Impacts would be incrementally lower due to the reduction in overall building footprint and required grading. By reducing the number of residential units by 120 to 212 units, this alternative would incrementally reduce the duration and amount of construction activity. Nevertheless, standard emission control measures as required by the SBCAPCD would still apply. This impact would remain less than significant.

This alternative involves 120 fewer residential units compared to the Project (a reduction of approximately 36%), and would therefore result in reduced energy demand and fewer motor vehicle trips. Therefore,



operational emissions would be commensurately lower than those of the Project. Emissions would be below SPCAPCD thresholds and this impact would remain less than significant.

Because this alternative involves fewer residential units than the Project, it would remain consistent with the applicable Clean Air Plan, which is the SBCAPCD 2019 Ozone Plan. This would be a less than significant impact.

As with the Project, this alternative, without air quality pollutant reduction measures, would expose residents on the Project site to a health risk (e.g., respiratory problems, lung damage, cancer) that would exceed SBCAPCD's recommended health risk criteria. Because this alternative involves fewer residential units, fewer people would be exposed to health risks. ~~Nevertheless, this alternative would continue to require mitigation related to potential health risk impacts to residential receptors on the Project site (Mitigation Measure AQ-4). Similar to the proposed project, forced air ventilation with filter screens on outside air intake ducts to be provided for all residential units on the Project site, which are included as a project-specific condition of approval. These measures would reduce the future residents' exposure to toxic air contaminants to below the recommended health risk criteria.~~ As with the Project, this impact would be less than significant ~~with mitigation~~.

**c. Biological Resources.** This alternative would reduce the overall building footprint, but would not avoid impacts related to the removal of habitat that could support nesting and/ or foraging birds protected under State and federal law. As with the Project, landscaping for this alternative could introduce invasive plant species that may escape into natural areas. This alternative, like the Project, would be located within a local wildlife linkage area, which could result in indirect impacts to wildlife movement. These impacts would remain potentially significant, and this alternative would continue to require mitigation related to potential impacts associated with nesting birds and raptors, invasive species, and wildlife movement (Mitigation Measures BIO-1, BIO-2, BIO-4[a], BIO-4[b], and BIO-4[c]) to reduce these impacts to a less than significant level. Similar to the Project, this alternative would not impact wetlands or sensitive habitat. ~~As with the Project, this alternative would include a request for up to a 33-foot reduction in the required 100-foot Streamside Protection Area (SPA) buffer (required by Policy CE 2.2 in the City's General Plan Conservation Element) in the northeast corner of the project site.~~ As with the Project, these impacts would be less than significant.

**d. Cultural Resources.** This alternative is designed to reduce impacts related to CA-SBA-56, which is an area of prehistoric archaeological significance that is eligible for listing on the National Register of Historic Places (NRHP), and is therefore considered a significant archaeological resource pursuant to CEQA Guidelines Section 15064.5(a)(3). Elimination of development within the area of CA-SBA-56 and the 50-foot buffer would reduce the potential for disturbance to the resource by eliminating components of the project that would overlie the resource and buffer. In order to avoid impacting CA-SBA-56 and the 50-foot buffer, some or all of four of the proposed residential buildings in Area B (Buildings 4, 5, 6, and 7) and several uncovered and carport parking spaces would be eliminated from the plan. This alternative would eliminate the need for mitigation related to excavation within CA-SBA-56 (Mitigation Measure CR-1[a]). Due to the proposed plan to cap the remainder of CA-SBA-56 and the 50-foot buffer, this alternative would continue to require mitigation related to potential impacts to surface resources within CA-SBA-56 (Mitigation Measures CR-1[b], and CR-1[c]). Additionally, this alternative would continue to require mitigation related to potential impacts to previously undiscovered resources (Mitigation Measures CR-1[d], CR-1[e], and CR-1[f]) to reduce this impact to a less than significant level, especially in light of the work that would be required in close proximity to the known resources CA-SBA-56. Finally, Alternative 2 would not reduce the potentially significant impact associated with the identified human burial site within



CA-SBA-56, and Mitigation Measures CR-2(a) and CR-2(b) would continue to apply. Overall, impacts to cultural resources would be less than the Project.

**e. Geology.** This alternative would reduce the overall building footprint and would incrementally reduce the amount of grading required compared to the Project; nevertheless, the Project site would remain subject to the same potential geological impacts as the Project. Therefore, the potential for adverse effects caused by seismic settlement, liquefaction, erosion, and expansive soils would be fundamentally the same under this alternative as the Project. This alternative would continue to require mitigation related to potential geologic impacts (Mitigation Measure GEO-1). Therefore, this alternative would result in geological impacts that would be less than significant with mitigation, and similar to the Project.

**f. Greenhouse Gas Emissions.** This alternative would reduce the building footprint and the number of new residential units on the Project site by approximately 36%. Thus, the Project's long-term GHG emissions from transportation and non-transportation sources would be reduced commensurately. As with the Project, GHG-related impacts would be less than significant.

**g. Hazardous Materials/Risk of Upset.** Like the Project, this alternative includes housing units near the U.S. 101 and UPRR corridors, a high-pressure natural gas line, and businesses that store and use hazardous materials. However, like the Project, this alternative would not increase risk of upset conditions associated with those facilities. As with the Project, compliance with applicable federal, state, and local regulations pertaining to hazardous materials use, storage, and transport would minimize the potential risk of upset associated with hazardous materials use during project construction and operation. Therefore, risk of upset impacts would remain less than significant under this alternative.

**h. Hydrology and Water Quality.** This alternative would reduce the building footprint and the number of new residential units on the Project site by approximately 36%. Therefore, there would be less overall impervious surface area under this alternative and surface water runoff and the erosion/sedimentation potential would be incrementally reduced. Nonetheless, as with the Project, this alternative would increase impermeable surfaces compared to existing conditions. Mitigation Measure HWQ-2 would be required to reduce impacts to site drainage. Implementation of required mitigation measure would reduce impacts to a less than significant level. Under this alternative, as with the Project, compliance with NPDES requirements and implementation of Best Management Practices (BMPs) would be required and would ensure that hydrologic impacts from construction and water pollutants would remain less than significant.

**i. Land Use.** This alternative would maintain the minimum density of 20-25 units/acre associated with the Affordable Housing Opportunity Site designation. Similar to the Project, this alternative would be consistent with applicable General Plan policies with mitigation as described in the Land Use section, and the resulting impact to land use would be less than significant. As for the Project, this alternative would result in development within the City's Central Hollister Residential Development Area and development of the Project site would contribute to the objectives established for this area. As with the Project, this alternative would not divide an established community.

**j. Noise.** The overall footprint of development and area of required grading would be incrementally reduced under this alternative. Therefore, overall construction noise would be slightly reduced. Nevertheless, as with the Project, construction activities would occur within 50 feet of sensitive receptors. This alternative would continue to require a similar scale of pre-construction soil hauling to



prepare the site for construction. Therefore, this alternative would continue to require Mitigation Measures N-1(a) through N-1(g) for construction impacts. However, as with the Project, temporary construction noise impacts would remain significant and unavoidable.

The potential long-term noise increase resulting from development of this alternative would be less than the Project since this alternative would result in 120 fewer residential units (a reduction of approximately 36%), with a commensurate reduction in overall traffic generation. As with the Project, the potential long-term noise increase would remain less than significant.

As with the Project, this alternative would place residential uses near the U.S. 101 and UPRR rights-of-way. By eliminating Buildings 5 and 6, fewer residential units would be located adjacent to the U.S. 101 and UPRR. Nevertheless, this alternative would be subject to the same conditions as the Project to provide noise barriers as well as a rail line real-estate disclosure to potential occupants, providing notice of the site's proximity to the UPRR and that associated noise and vibration may be perceptible. These measures would avoid the potential on-site noise exposure impact associated with this alternative.

Similar to the Project, activity during the construction period would not result in vibration levels that would exceed 80 VdB, and would not be expected to result in vibration levels that would be perceptible at nearby residences in excess of 30 vibration events of the same kind per day. Therefore, impacts associated with groundborne vibration would be less than significant.

**k. Public Services.** This alternative would have a smaller building footprint than the Project and would result in fewer residential units and amenities on the Project site as compared to the Project. As a result, the demand for impacts associated with the potential need for new public service infrastructure would be lower under this alternative than the Project. As with the Project, impacts to public services would remain less than significant.

**l. Recreation.** This alternative would result in fewer residential units and, therefore, fewer new residents than the Project. As a result, this alternative would result in a lower demand for public parks than the Project. As with the Project, this alternative would provide private recreational facilities for residents. In addition, the two-acre public park in the central portion of the property would be expanded to cover a greater extent of the CA-SBA-56 archaeological resource under this alternative. As with the Project, payment of parks development impact fees would be required and impacts to recreation would be less than significant.

**m. Transportation/Circulation.** This alternative would reduce the building footprint and the number of residential units on the Project site by approximately 36%. The reduced number of residential units would result in commensurately lower vehicle miles traveled (VMT) annually than the Project. As with the Project, impacts related to conflict or inconsistency with CEQA Guidelines Section 15063.3, subdivision (b) would remain less than significant. With fewer residents generated under this alternative than the Project, this alternative would not substantially overburden transit services or impact the operations of bicycle facilities in the Project site vicinity. Impacts related to conflict with alternative transportation program plan, ordinances or policies would remain less than significant.

**n. Utilities and Service Systems.** This alternative would reduce the building footprint and the number of new residential units on the Project site by approximately 36%. As a result, the demand for utilities and services (water demand, wastewater generation, and solid waste generation) on the Project site would be commensurately lower under this alternative than the Project. Demand for water under this alternative would decrease from approximately 39.4 acre feet per year (AFY) to approximately 25.2 AFY.



Wastewater generation under this alternative would decrease from approximately 0.06 million gallons per day (mgd) to approximately 0.04 mgd. Non-recyclable solid waste generation under this alternative would decrease from approximately 242 tons per year to approximately 158 tons per year. Therefore, this alternative would have a reduced overall impact with respect to utilities and service systems. The amount of non-recyclable solid waste generated under this alternative would not exceed the City's project-specific threshold of 196 tons per year, and Mitigation Measure UTL-4 (Solid Waste Management Plan) would no longer be required. As with the Project, impacts associated with water and wastewater generation would remain less than significant, and impacts associated with solid waste generation would be reduced to a less than significant level.

## **6.3 ALTERNATIVE 3: INCREASED RAILWAY/FREEWAY BUFFER AND HIGHER SOUND BARRIER**

### **6.3.1 Alternative Description**

Alternative 3, the "Increased Railway/Freeway Buffer and Higher Sound Barrier" alternative, would reconfigure the development to provide a larger buffer between the railroad and the U.S. 101, and increase the height of the masonry wall to reduce noise impacts. As stated in Section 4.10, *Noise*, Buildings 5, 6, 8 and 9 are as close as 120 feet from the railroad tracks and 300 feet from the centerline of U.S. 101. The combined noise exposure from U.S. 101 and the UPRR was determined to be as high as 72 dBA at the most affected residence on the third floor of Building 9, and would also be above the City's 65 dBA CNEL standard at the second floor of Buildings 4, 5, 6, 8, and 9, and the first floors of Buildings 5, 6, 8 and 9 (Dudek, May 2014; refer to Appendix H).

In this alternative, the height of the proposed noise barrier would be increased to 12 feet and would consist of a six-foot tall masonry wall on top of a six-foot tall berm. With the sound attenuation expected from a 12-foot high barrier, the residential units would need to be approximately 200 feet from the UPRR alignment to reduce the exterior noise level at affected residences to under 65 dBA CNEL, which is the maximum "acceptable" noise exposure for multi-family housing according to the Goleta General Plan. Therefore, in this alternative the Project would be reconfigured so that buildings are set back a minimum of 200 feet from the railroad. To achieve this setback, Buildings 5, 6, and 8 would be removed, and Building 9 would be reduced in size. This would result in the loss of up to 120 of the proposed units.

Because the Project site is designated as an Affordable Housing Opportunity Site, the minimum allowable density is 20 units/acre. Therefore, this alternative also assumes that Building 4 would increase to three stories and the bedroom mix would shift toward 1-bedroom and 2-bedroom units, rather than the 3-bedroom units included in the Project, in order to accommodate 69 additional units in the remaining buildings. This would result in a total of 281 units (approximately 15.4% reduction from the proposed 332 units), which would meet the minimum allowable density of 20 units/acre associated with the site's Affordable Housing Opportunity Site designation.

The additional space between the residential units and UPRR could be used for parking and/or open space. Site access and the approximately two-acre park would be the same as under the Project.

Under this alternative, Objective 3 would not be fully met to the same extent as the proposed Project due to the reduced number of residential units on the Project site. Objectives 1, 4, 5, and 6, which relate to providing residential development on the site that completes the development of the *Central Hollister Residential Development Area*, is accessible to nearby transportation corridors, and utilizes existing public





infrastructure would continue to be generally met, although at a slightly reduced density when compared to the Project. Objectives 7 and 8 to provide a public park consistent with the General Plan for the Project site and to protect on-site cultural resources would continue to be met. As this alternative may require additional buildings to be 3-story, rather than 2-story as with the Project, Objective 9 to maintain visual resources may not be met.

### 6.3.2 Impact Analysis

**a. Aesthetics.** This alternative would involve developing the Project site with new structures that would alter views of and through the Project site. This alternative would involve construction of buildings at a height that would substantially affect public views of the Santa Ynez Mountains from S. Los Carneros Road at Calle Koral looking northward, which is a City-designated view corridor. Elimination of the buildings in the northern portion of the site may incrementally reduce view blockage from S. Los Carneros Road looking northward. However, increasing the height of Building 4 from two to three stories would incrementally increase view blockage of the Santa Ynez Mountains from S. Los Carneros Drive looking northward. Views from the Los Carneros Road overpass to the south and southeast are also designated view corridors. Structures would rise nearly to the level of the horizon, but would not obstruct scenic views of the Pacific Ocean. This alternative would increase the height of the proposed masonry wall along the western and northern property boundary from eight feet to 12 feet. However, the proposed structures would continue to dominate the visual changes caused by the Project. The increased height of the masonry wall would not result in further blocking of views, beyond that which would be caused by the proposed on-site structures. Thus, Alternative 3 would result in a less than significant impact to the designated scenic view corridor looking northward from S. Los Carneros Road at Calle Koral, similar to the project. However, as this alternative may require additional buildings to be 3-story, rather than 2-story as with the Project, Objective 9 to maintain visual resources may not be met.

This alternative would still result in the removal of native shrub vegetation on most of the site. However, as with the Project, this impact would be less than significant. This alternative would have a smaller footprint of development compared to the Project; nevertheless, it would permanently alter the existing visual character of the Project site. This alternative involves replacing open and undeveloped land with a residential development. ~~As with the Project, this impact would remain potentially significant, and this alternative would continue to require mitigation to reduce potentially significant impacts from the Project's massing and architectural style and to ensure that building heights remain consistent with adjacent development (Mitigation Measures AES-4[a] and AES-4[b]).~~ However, similar to the Project, this alternative would be generally compatible with adjacent development and landscaping would incrementally reduce changes to the character and quality of the site and surroundings.

New sources of light and glare on and around the Project site due to the introduction of new structures, hardscape and associated lighting would be similar to the Project. Therefore, this impact would remain potentially significant, and this alternative would continue to require mitigation related to potential impacts associated with new sources of light and glare (Mitigation Measure AES-5).

**b. Air Quality.** As with the Project, this alternative would include construction of new residential units, which would generate temporary increases in localized air pollutant emissions. Ozone precursors NO<sub>x</sub> and ROG, as well as carbon monoxide (CO), would be still emitted by construction equipment such as graders, backhoes, and generators, while fugitive dust (PM<sub>10</sub>) would still be emitted by activities that disturb the soil, such as grading and excavation, road construction and building construction. By reducing the number of residential units by 51, this alternative would incrementally reduce the duration and



amount of construction activity. Nevertheless, standard SBCAPCD emission control requirements would apply. This impact would remain less than significant.

This alternative involves 51 fewer residential units compared to the Project (a reduction of approximately 15.4%) and would, therefore, result in reduced energy demand and fewer motor vehicle trips. Therefore, operational emissions would be commensurately lower than those of the Project. This impact would remain less than significant.

Because this alternative involves fewer residential units than the Project, it would remain consistent with the 2019 Ozone Plan. This would be a less than significant impact.

Under this alternative, residential units would be set back approximately 200 feet from the railroad compared to 120 feet under the Project. However, without air quality pollutant reduction measures, this alternative would still expose residential units on the Project site to a carcinogenic health risk that would exceed SBCAPCD's recommended health risk criteria. Because this alternative involves fewer residential units, fewer people would be exposed to health risks. ~~Nevertheless, the health risk impact would be significant and this alternative would continue to require mitigation related to potential health risk impacts to residential receptors on the Project site (Mitigation Measure AQ-4). Similar to the proposed project, forced air ventilation with filter screens on outside air intake ducts to be provided for all residential units on the Project site, which are included as a project-specific condition of approval. These measures would reduce the future residents' exposure to toxic air contaminants to below the recommended health risk criteria. With mitigation, As with the Project,~~ health risk impacts would be less than significant.

**c. Biological Resources.** This alternative would reduce the overall building footprint but would not avoid impacts related to removal of habitat that could support nesting and/or foraging birds protected under State and federal law. As with the Project, landscaping for this alternative could introduce invasive plant species that may escape into natural areas. This alternative, like the Project, would be located within a local wildlife linkage area, which could result in indirect impacts to wildlife movement. These impacts would remain potentially significant, and this alternative would continue to require mitigation related to potential impacts associated with nesting birds and raptors, invasive species, and wildlife movement (Mitigation Measures BIO-1, BIO-2, BIO-4[a], BIO-4[b], and BIO-4[c]) to reduce these impacts to a less than significant level. Similar to the Project, this alternative would not impact wetlands, or sensitive habitat and these impacts would remain less than significant. ~~However, this alternative includes a setback from the railroad of approximately 200 feet compared to 120 feet under the Project. Therefore, this alternative would not require the up to 33-foot reduction of the required 100-foot SPA (required by Policy CE 2.2 in the City's General Plan Conservation Element) in the northeast corner of the project site.~~

**d. Cultural Resources.** Under Alternative 3, Buildings 5, 6, and 8 would be eliminated and Building 9 would be reduced in size to provide a larger buffer between the railroad and the U.S. 101. However, this revision to the Project footprint would not result in a reduction in the potential for ground disturbing activity within the area of CA-SBA-56 and the 50-foot buffer. Impacts would remain potentially significant, and this alternative would continue to require mitigation related to potential impacts to known resources within CA-SBA-56 and previously undiscovered resources (Mitigation Measures CR-1[a], CR-1[b], CR-1[c], CR-1[d], CR-1[e], and CR-1[f]). Overall, impacts to cultural resources would be similar to the Project, and cumulative cultural resource impacts would remain significant and unavoidable.

**e. Geology.** This alternative would reduce the overall building area and would incrementally reduce the amount of grading required compared to the Project; nevertheless, the Project site would



remain subject to the same potential geological impacts as the Project. Therefore, the potential for adverse effects caused by seismic settlement, liquefaction, erosion, and expansive soils would be fundamentally the same under this alternative as under the Project. This alternative would continue to require mitigation related to potential geologic impacts (Mitigation Measure GEO-1). Therefore, this alternative would result in geological impacts that would be less than significant with mitigation, and similar to the Project.

**f. Greenhouse Gas Emissions.** This alternative would reduce the building footprint and the number of new residential units on the Project site by approximately 15.4%. Thus, the Project's long-term GHG emissions from transportation and non-transportation sources would be commensurately reduced. As with the Project, GHG-related impacts would be less than significant.

**g. Hazardous Materials/Risk of Upset.** Like the Project, this alternative includes housing units near the U.S. 101 and UPRR corridors, a high-pressure natural gas pipeline, and businesses that store and use hazardous materials. However, like the Project, this alternative would not increase risk of upset conditions associated with those facilities. As with the Project, compliance with applicable federal, state, and local regulations pertaining to hazardous materials use, storage, and transport would minimize the potential risk of upset associated with hazardous materials use during project construction and operation. Therefore, risk of upset impacts would remain less than significant.

**h. Hydrology and Water Quality.** This alternative would reduce the building footprint and the number of new residential units on the Project site by approximately 15.4%. Therefore, there would be less impervious surface area under this alternative and overall surface water runoff and erosion/sedimentation potential would be incrementally reduced. Nonetheless, as with the Project, this alternative would increase impermeable surfaces compared to existing conditions. This alternative would be required to implement mitigation measure HWQ-2 to reduce impacts to site drainage. Implementation of required mitigation measure would reduce impacts to a less than significant level. Under this alternative, as with the Project, compliance with NPDES requirements and implementation of Best Management Practices (BMPs) would be required and would ensure that hydrologic impacts from construction and water pollutants would remain less than significant.

**i. Land Use.** This alternative would have 51 fewer residential units and would result in fewer new vehicle trips than the Project, resulting in a smaller increase in roadway noise and traffic. Therefore, this alternative may pose slightly fewer compatibility conflicts with surrounding uses than would the Project. This alternative would maintain the minimum density of 20 units/acre associated with the Affordable Housing Opportunity Site designation. As described above, Alternative 3 would potentially result in a significant and unavoidable impact to the designated scenic view corridor looking northward from S. Los Carneros Road at Calle Koral. Therefore, Alternative 3 would be inconsistent with several policies related to preservation of views, including VH 1.1, VH 1.4, VH 2.2, VH 2.3, and VH 4.15. In addition, this alternative would continue to require mitigation related to a temporary noise incompatibility impact (Mitigation Measure N-1). Effects related to compatibility with adjacent businesses may be incrementally greater than those of the Project due to the increased number of three-story buildings, but would continue to be significant but mitigable.

**j. Noise.** The overall footprint of development and area of required grading would be incrementally reduced under this alternative. Therefore, overall construction noise would be slightly reduced. Nevertheless, as with the Project, construction activities would occur within 50 feet of sensitive receptors. This alternative would continue to require a similar scale of pre-construction soil hauling to



prepare the site for construction. Therefore, this alternative would continue to require Mitigation Measures N-1(a) through N-1(g) for construction impacts. However, as with the Project, temporary construction noise impacts would remain significant and unavoidable.

The potential long-term operational noise increase resulting from this alternative would be less than those of the Project since this alternative would involve 51 fewer new residential units (a reduction of approximately 15.4%), with a commensurate reduction in overall traffic generation. As with the Project, the potential long-term noise increase would remain less than significant.

Similar to the Project, activity during the construction period would not result in vibration levels that would exceed 80 VdB, and would not be expected to result in vibration levels that would be perceptible at nearby residences in excess of 30 vibration events of the same kind per day. Therefore, impacts associated with groundborne vibration would be less than significant.

**k. Public Services.** This alternative would have a smaller building footprint than the Project, and would result in fewer residential units and amenities on the Project site as compared to the Project. As a result, the demand for impacts associated with the potential need for new public service infrastructure would be lower under this alternative than the Project. As with the Project, impacts to public services would remain less than significant.

**l. Recreation.** This alternative would result in fewer residential units, and therefore fewer new residents than the Project. However, this alternative would retain the proposed approximately two-acre park on the Project site. As noted above, the additional space between the residential units and UPRR under Alternative 3 could be used for additional open space. As a result, this alternative would result in a lower demand for public parks than the Project. As with the Project, payment of parks development impact fees would be required, and impacts to recreation would be less than significant.

**m. Transportation/Circulation.** This alternative would reduce the building footprint and the number of new residential units on the Project site by approximately 15.4%, and therefore would result in commensurately lower VMT annually than the Project. As with the Project, impacts related to conflict or inconsistency with CEQA Guidelines Section 15063.3, subdivision (b) would remain less than significant. With fewer residents generated under this alternative than the Project, this alternative would not overburden transit services or impact the operations of bicycle facilities in the Project site vicinity. Impacts to related to conflict with alternative transportation program plan, ordinances or policies would remain less than significant.

**n. Utilities and Service Systems.** This alternative would reduce the building footprint and the number of new residential units on the Project site by approximately 15.4%. As a result, the demand for utilities and services (water demand, wastewater generation, and solid waste generation) on the Project site would be commensurately lower under this alternative than the Project. Demand for water under this alternative would decrease from approximately 39.4 acre feet per year (AFY) to approximately 33.3 AFY. Wastewater generation under this alternative would decrease from approximately 0.06 mgd to approximately 0.05 mgd. Non-recyclable solid waste generation under this alternative would decrease from approximately 242 tons per year to approximately 205 tons per year. Therefore, this alternative would have reduced overall impacts with respect to utilities and service systems. However, the amount of non-recyclable solid waste generated under this alternative would exceed the City's project-specific threshold of 196 tons per year, and Mitigation Measure UTL-4 (Solid Waste Management Plan) would be required. As with the Project, impacts associated with water and wastewater generation would remain



less than significant, and impacts associated with solid waste generation would be significant and unavoidable.

## 6.4 ALTERNATIVE 4: REDUCED BUILDING HEIGHT

### 6.4.1 Alternative Description

Alternative 4, the “Reduced Building Height” alternative, would involve changing the six three-story buildings to two-story buildings and modifying the bedroom mix of the remaining units in order to meet the minimum density of 20 units/acre. Under this alternative, there would be 51 fewer residential units or 281 units provided (approximately a 15.4% decrease). The bedroom mix would shift towards 1-bedroom and 2-bedroom units, rather than the 3-bedroom units included in the Project. Site access and the configuration of buildings, the approximately two-acre park, parking areas, and roadways would be the same as under the Project.

Under this alternative, Objective 3 would not be fully met to the same extent as the proposed Project due to the reduced number of residential units on the Project site. Objectives 1, 2, 4, 5, and 6, which relate to providing residential development on the site that completes the development of the *Central Hollister Residential Development area*, is accessible to nearby transportation corridors, and utilizes existing public infrastructure would continue to be met, although at a slightly reduced density when compared to the Project. Objectives 7 and 8 to provide a public park consistent with the General Plan for the Project site and to protect on-site cultural resources would continue to be met. Objective 9 to maintain visual resources would be met.

### 6.4.2 Impact Analysis

**a. Aesthetics.** Similar to the Project, under this alternative the Project site would be developed with new structures that would alter views of the Project site and through the Project site. However, with this alternative, all structures would be two stories instead of three. By limiting the heights of all residential buildings to two stories (approximately 20 feet), this alternative would incrementally reduce the Project’s aesthetic impacts with respect to scenic vistas, visual character, and scenic resources. As a result of reduced scale and building mass, impacts to public and private views from surrounding areas and roadways, in particular S. Los Carneros Road at Calle Koral looking both northward and southward, would be reduced. As this alternative would require buildings to be limited to two stories, Objective 9 to maintain visual resources would be met.

This alternative would still result in the removal of native shrub vegetation on most of the site. However, as with the Project, this impact would be less than significant. This alternative would have the same footprint of development as the Project and would permanently alter the existing visual character of the Project site. This alternative involves replacing open and undeveloped land with a residential development. ~~As with the Project, this impact would remain potentially significant, and this alternative would continue to require mitigation to reduce potentially significant impacts from the Project’s massing and architectural style and to ensure that building heights remain consistent with adjacent development (Mitigation Measures AES-4[a] and AES-4[b]).~~ However, similar to the Project, this alternative would be generally compatible with adjacent development and landscaping would incrementally reduce changes to the character and quality of the site and surroundings.



By reducing the height of the structures compared to the Project, this alternative would incrementally reduce new sources of light and glare on and around the Project site due to introduction of new structures, hardscape and associated lighting. Nevertheless, this impact would remain potentially significant, and this alternative would continue to require mitigation related to potential impacts associated with new sources of light and glare (Mitigation Measure AES-5).

**b. Air Quality.** As with the Project, this alternative would include construction of new residential units, which would generate temporary increases in localized air pollutant emissions. Ozone precursors NO<sub>x</sub> and ROG, as well as carbon monoxide (CO), would be still emitted by construction equipment such as graders, backhoes, and generators, while fugitive dust (PM<sub>10</sub>) would still be emitted by activities that disturb the soil, such as grading and excavation, road construction and building construction. By reducing the number of residential units by 51, this alternative would incrementally reduce the duration and amount of construction activity. Nevertheless, standard emission control measures as required by the SBCAPCD would apply. This impact would remain less than significant.

This alternative involves 51 fewer residential units compared to the Project (a reduction of approximately 15.4%), and would therefore result in reduced energy demand and fewer vehicles trips. Therefore, operational emissions would be commensurately lower than those of the Project. This impact would remain less than significant.

Because this alternative involves fewer residential units than the Project, it would remain consistent with the 2019 Ozone Plan. This would be a less than significant impact.

As with the Project, without air quality pollutant reduction measures, this alternative would expose new residential units on the Project site to a carcinogenic health risk that would exceed SBCAPCD's recommended health risk criteria. Because this alternative involves fewer residential units, fewer people would be exposed to health risks. ~~Nevertheless, this alternative would continue to require mitigation related to potential health risk impacts to residential receptors on the Project site (Mitigation Measure AQ-4).~~ Similar to the proposed project, forced air ventilation with filter screens on outside air intake ducts to be provided for all residential units on the Project site, which are included as a project-specific condition of approval. These measures would reduce the future residents' exposure to toxic air contaminants to below the recommended health risk criteria. As with the Project, this impact would be less than significant ~~with mitigation.~~

**c. Biological Resources.** This alternative would reduce the overall building height, but would not avoid impacts related to removal of habitat that could support nesting and/ or foraging birds protected under State and federal law. As with the Project, landscaping for this alternative could introduce invasive plant species that may escape into natural areas. This alternative, like the Project, would be located within a local wildlife linkage area, which could result in indirect impacts to wildlife movement. These impacts would remain potentially significant, and this alternative would continue to require mitigation related to potential impacts associated with nesting birds and raptors, invasive species, and wildlife movement (Mitigation Measures BIO-1, BIO-2, BIO-4[a], BIO-4[b], and BIO-4[c]) to reduce these impacts to a less than significant level. Similar to the Project, this alternative would not impact wetlands, or sensitive habitat and these impacts would remain less than significant. ~~As with the Project, this alternative would include a request for up to a 33-foot reduction in the required 100-foot Streamside Protection Area (SPA) buffer (required by Policy CE 2.2 in the City's General Plan Conservation Element) in the northeast corner of the project site.~~



**d. Cultural Resources.** Although the number of units would be reduced with this alternative, the configuration and footprint of buildings on the Project site would remain the same, and the potential for ground disturbing activity within the area of CA-SBA-56 and the 50-foot buffer would be similar. Therefore, cultural resource impacts would be similar to those of the Project and this alternative would continue to require mitigation related to potential impacts to known resources within CA-SBA-56 and previously undiscovered resources (Mitigation Measures CR-1[a], CR-1[b], CR-1[c], CR-1[d], CR-1[e], and CR-1[f]). Overall, impacts to cultural resources would be similar to the Project, and cumulative cultural resource impacts would remain significant and unavoidable.

**e. Geology.** This alternative would reduce the overall building height and involve fewer units; nevertheless, the Project site would remain subject to the same potential geological impacts as the Project. Therefore, the potential for adverse effects caused by seismic settlement, liquefaction, erosion, and expansive soils would be fundamentally the same under this alternative as the Project. This alternative would continue to require mitigation related to potential geologic impacts (Mitigation Measure GEO-1). Therefore, this alternative would result in geological impacts that would be less than significant with mitigation, and similar to the Project.

**f. Greenhouse Gas Emissions.** This alternative would reduce the building footprint and the number of new residential units on the Project site by approximately 15.4%. Thus, the Project's long-term GHG emissions from transportation and non-transportation sources would be commensurately reduced. As with the Project, GHG-related impacts would be less than significant.

**g. Hazardous Materials/Risk of Upset.** Like the Project, this alternative involves housing units near the U.S. 101 and UPRR corridors, a high-pressure natural gas pipeline, and businesses that store and use hazardous materials. However, like the Project, this alternative would not increase risk of upset conditions associated with those facilities. As with the Project, compliance with applicable federal, state, and local regulations pertaining to hazardous materials use, storage, and transport would minimize the potential risk of upset associated with hazardous materials use during project construction and operation. Impacts associated with the risk of upset would remain less than significant.

**h. Hydrology and Water Quality.** This alternative would include 51 fewer units than the Project, but the building footprint would be identical. Therefore, the total area of impervious surfaces under this alternative, and resulting surface water runoff and erosion/ sedimentation potential would be substantially similar to the Project. As with the Project, this alternative would increase impermeable surfaces compared to existing conditions and would be required to implement mitigation measures HWQ-2 to reduce impacts to site drainage. Implementation of required mitigation measure would reduce impacts to a less than significant level. Under this alternative, as with the Project, compliance with NPDES requirements and implementation of Best Management Practices (BMPs) would be required and would ensure that hydrologic impacts from construction and water pollutants would remain less than significant.

**i. Land Use.** This alternative would have 51 fewer residential units, would limit building height to two stories, and would result in fewer new vehicle trips than the Project, resulting in a smaller increase in roadway noise and traffic and less obstructed view of scenic resources. Therefore, this alternative may pose slightly fewer compatibility conflicts with surrounding uses than would the Project. This alternative would maintain the minimum density of 20 units/acre associated with the Affordable Housing Opportunity Site designation. As described above, Alternative 4 would not result in a significant impact to the designated scenic view corridor looking northward from S. Los Carneros Road at Calle Koral. Therefore, this alternative would be consistent with the City's General Plan. However, this alternative would continue



to require mitigation related to a temporary noise incompatibility impact (Mitigation Measure N-1). This alternative would result in site access and the configuration of buildings, the approximately two-acre park, parking areas, and roadways which would be the same as under the Project. Effects related to privacy for adjacent businesses would remain significant but mitigable, similar to the Project.

**j. Noise.** The number of units would be reduced by 51 (15.4%) under this alternative. Therefore, overall construction noise would be slightly reduced. Nevertheless, as with the Project, construction activities would occur within 50 feet of sensitive receptors. This alternative would continue to require a similar scale of pre-construction soil hauling to prepare the site for construction. Therefore, this alternative would continue to require Mitigation Measures N-1(a) through N-1(g) for construction impacts. However, as with the Project, temporary construction noise impacts would remain significant and unavoidable.

The potential long-term operational noise increase resulting from this alternative would be less than those of the Project since this alternative would involve 51 fewer new residential units (a reduction of approximately 15.4%), with a commensurate reduction in overall traffic generation. As with the Project, the potential long-term noise increase would remain less than significant.

Similar to the Project, activity during the construction period would not result in vibration levels that would exceed 80 VdB, and would not be expected to result in vibration levels that would be perceptible at nearby residences in excess of 30 vibration events of the same kind per day. Therefore, impacts associated with groundborne vibration would be less than significant.

**k. Public Services.** This alternative would reduce the number of residential units as compared to the Project. As a result, the demand for impacts associated with the potential need for new public service infrastructure would be lower under this alternative than the Project. As with the Project, impacts to public services would remain less than significant.

**l. Recreation.** This alternative would result in fewer residential units, and therefore fewer new residents than the Project. As a result, this alternative would result in a lower demand for public parks than the Project. Like the Project, this alternative would provide private recreational facilities for residents, as well as a two-acre public park. As with the Project, payment of parks development impact fees would be required, and impacts to recreation would be less than significant.

**m. Transportation/Circulation.** This alternative would reduce the building height and the number of new residential units on the Project site by approximately 15.4%, and therefore would result in commensurately lower VMT annually than the Project. As with the Project, impacts related to conflict or inconsistency with CEQA Guidelines Section 15063.3, subdivision (b) would remain less than significant. With fewer residents generated under this alternative than the Project, this alternative would not overburden transit services or impact the operations of bicycle facilities in the Project site vicinity. Impacts to related to conflict with alternative transportation program plan, ordinances or policies would remain less than significant.

**n. Utilities and Service Systems.** This alternative would reduce the building footprint and the number of new residential units on the Project site by approximately 15.4%. As a result, the demand for utilities and services (water demand, wastewater generation, and solid waste generation) on the Project site would be commensurately lower under this alternative than the Project. Demand for water under this alternative would decrease from approximately 39.4 acre feet per year (AFY) to approximately 33.3 AFY.





Wastewater generation under this alternative would decrease from approximately 0.06 mgd to approximately 0.05 mgd. Non-recyclable solid waste generation under this alternative would decrease from approximately 242 tons per year to approximately 205 tons per year. Therefore, this alternative would have reduced overall impacts with respect to utilities and service systems. However, the amount of non-recyclable solid waste generated under this alternative would exceed the City's project-specific threshold of 196 tons per year, and Mitigation Measure UTL-4 (Solid Waste Management Plan) would be required. As with the Project, impacts associated with water and wastewater generation would remain less than significant, and impacts associated with solid waste generation would be significant and unavoidable.

## **6.5 ALTERNATIVE 5: MIXED USE DEVELOPMENT**

### **6.5.1 Alternative Description**

Alternative 5, the "Mixed Use Development" alternative, would involve residential as well as business park development in place of the Project's proposed residential development along the eastern and northern portions of the site. Business park development (under the City's MRP zone) is proposed as a transition from industrial uses on Aero Camino and a buffer from U.S. 101 and the UPRR. This alternative assumes that buildout of the Project site would be the maximum amount allowed by the Goleta General Plan and Goleta Municipal Code if assessor's parcel numbers (APN) 073-060-039 through -043 were re-zoned to MRP and designated for General Plan Business Park uses, similar to business park properties in the vicinity. It also assumes that the business park development would encompass 35% of the site and be two stories in height. This alternative is intended to address compatibility with industrial uses on Aero Camino to the east, and U.S. 101 and UPRR to the north, and would also reduce impacts associated with noise and risk of upset on the residential units.

The development assumptions for this alternative assume the maximum residential build-out that could be accommodated on the Project site under a combination of Design Residential, Affordable Housing Opportunity Site (25 units/acre) and Business Park designation. Since the eastern and northern parcels have 5.72 net developable acres, the maximum size of the business park structures would be approximately 179,400 square feet (89,700 square foot footprint and two stories tall) based on build-out of 35% of the business park site. The remaining 8.33 acres of net developable area on the Project site would be developed with residential uses. At the maximum density of 25 units/ acre, the residential component of this alternative would be designed to accommodate 208 units within two- and three-story buildings.

A smaller business park development could also be constructed, which would reduce the overall impact of this alternative. For example, a one-story alternative with the same overall building footprint in the Business Park parcels as described above would involve 89,700 square feet of development. The site plan for this alternative would require that the residential structures, business park use, site access, and parking, be reconfigured on the remainder of the Project site to accommodate required residential density. In order to maintain the minimum density of 20 units/acre associated with the Affordable Housing Opportunity Site designation, the residential component of this alternative would be designed to accommodate 167 units, which this configuration assumes would be accommodated in two-story buildings. This alternative also assumes that the approximately two-acre park would be the same as proposed in the Project. This alternative also assumes that adequate parking would be provided to meeting parking regulations. Table 6-1 compares Alternative 5 to the Project.



This alternative would be consistent with the General Plan land use designation and zoning on the residential portion of the site (8.52 acres), but inconsistent with existing General Plan and zoning designations on the remaining portion (5.72 acres). As this alternative may require additional buildings to be 3-story, rather than 2-story as with the Project, Objective 8 to maintain visual resources may not be met.

**Table 6-1  
 Comparison of Alternative 5 and the Project**

	<b>Alternative 5a (Maximum Density 25 units/acre)</b>	<b>Alternative 5b (Lower Density 20 units/acre)</b>	<b>Project</b>
Residential Units <sup>1</sup>	208	167	332
Business Park Development	179,400 sf <sup>2</sup>	89,700 sf	0
Building Height	2-story business park, 3-story residential	1-story business park, 2-story residential	2-3 stories
Total landscaping/open space	2 acres	2 acres	2 acres

<sup>1</sup> This alternative assumes that the reduction of residential units would remain approximately proportional between proposed workforce housing and senior units.

<sup>2</sup> Represents the maximum amount of development allowed within the Business Park designation.

## 6.5.2 Impact Analysis

**a. Aesthetics.** Under this alternative, the Project site would be developed with mixed uses, including residential and business park uses. The Project site would be developed with new structures that alter views of and through the Project site. However, by limiting the heights of the residential buildings to two stories, Alternative 5b would incrementally reduce the project’s aesthetic impacts with respect to scenic vistas, visual character, and scenic resources. Because there would be reduced scale and building mass, impacts to public and private views from surrounding areas and roadways, in particular S. Los Carneros Road at Calle Koral looking both northward and southward, would be reduced. Views of the scenic Santa Ynez Mountains under Alternative 5b would be less than significant. Under Alternative 5a, residential buildings would be built to 3 stories and impacts to views of the Santa Ynez Mountains would be potentially significant. In addition, as Alternative 5a may require additional buildings to be 3-story, rather than 2-story as with the Project, Objective 9 to maintain visual resources may not be met. Alternative 5b would require buildings to be limited to two stories, so Objective 9 to maintain visual resources would be met.

This alternative would still result in the removal of native shrub vegetation on most of the site. However, as with the Project, this impact would be less than significant. This alternative would permanently alter the existing visual character of the Project site. This alternative involves replacing open and undeveloped land with residential and business park development. ~~As with the Project, this impact would remain potentially significant, and this alternative would continue to require mitigation to reduce potentially significant impacts from the Project’s massing and architectural style and to ensure that building heights remain consistent with adjacent development (Mitigation Measures AES 4[a] and AES 4[b]).~~ However, similar to the Project, this alternative would be generally compatible with adjacent development and landscaping would incrementally reduce changes to the character and quality of the site and surroundings.

This alternative involves mixed use development which would create new sources of light and glare on and around the Project site due to introduction of new structures, hardscape and associated lighting.



Nevertheless, this impact would remain potentially significant, and this alternative would continue to require mitigation related to potential impacts associated with new sources of light and glare (Mitigation Measure AES-5).

**b. Air Quality.** This alternative would involve construction of a business park and residential development, which would generate temporary increases in localized air pollutant emissions. Ozone precursors NO<sub>x</sub> and ROG, as well as carbon monoxide (CO), would be emitted by equipment such as graders, backhoes, and generators, while fugitive dust (PM<sub>10</sub>) would be emitted by activities that disturb the soil, such as grading and excavation, road construction and building construction. Similar to the Project, it is assumed that construction would occur over approximately 2.5 years and standard emission control measure as required by the SBCAPCD would still apply. This impact would remain less than significant.

This alternative would involve fewer residential units compared to the Project (either 124 fewer units under Alternative 5a or 165 fewer units under Alternative 5b). Additionally, this alternative would include business park uses. The mixed-use of the site would result in decreased vehicle trips due to internal capture of trips and therefore less energy use compared to the Project. Therefore, operational emissions would be commensurately lower than those of the Project. Emissions would be below SPCAPCD thresholds and this impact would remain less than significant.

Because alternative involves fewer residential units than the Project, it would remain consistent with the 2019 Ozone Plan. This would be a less than significant impact.

As with the Project, without air quality pollutant reduction measures, this alternative would expose residents on the Project site to a carcinogenic health risk that would exceed SBCAPCD's recommended health risk criteria. Because this alternative involves fewer residential units, fewer people would be exposed to health risks. Similar to the proposed project, forced air ventilation with filter screens on outside air intake ducts to be provided for all residential units on the Project site, which are included as a project-specific condition of approval. These measures would reduce the future residents' exposure to toxic air contaminants to below the recommended health risk criteria. As with the Project, this impact would be less than significant. ~~Nevertheless, this alternative would continue to require mitigation related to potential health risk impacts to residential receptors on the Project site (Mitigation Measure AQ-4).~~

**c. Biological Resources.** Depending on the configuration of the business park and residential development, this alternative could avoid impacts related to removal of habitat that could support nesting and/ or foraging birds protected under State and federal law. However, it is likely that at least some sensitive habitat would be affected. As with the Project, landscaping for this alternative could introduce invasive plant species which may escape into natural areas. This alternative, like the Project, would be located within a local wildlife linkage area, which could result in indirect impacts to wildlife movement. These impacts would remain potentially significant, and this alternative would continue to require mitigation related to potential impacts associated with nesting birds and raptors, invasive species, and wildlife movement (Mitigation Measures BIO-1, BIO-2, BIO-4[a], BIO-4[b], and BIO-4[c]) to reduce these impacts to a less than significant level. Similar to the Project, this alternative would not impact wetlands, or sensitive habitat and these impacts would remain less than significant. ~~As with the Project, this alternative would include a request for up to a 33-foot reduction in the required 100-foot Streamside Protection Area (SPA) buffer (required by Policy CE 2.2 in the City's General Plan Conservation Element) in the northeast corner of the project site.~~



**d. Cultural Resources.** Depending on the configuration of the business park and parking area, this alternative could potentially avoid the significant, but mitigable impact related to CA-SBA-56, which is an area of prehistoric archaeological significance. However, it is assumed that, at a minimum, parking lot and landscaped areas would overlies the resource, similar to the Project. Thus, impacts would be similar to those of the Project. This alternative would continue to require mitigation related to potential impacts to known resources within CA-SBA-56 and previously undiscovered resources (Mitigation Measures CR-1[a], CR-1[b], CR-1[c], CR-1[d], CR-1[e], and CR-1[f]). Overall, impacts to cultural resources would be similar to the Project, and cumulative cultural resource impacts would remain significant and unavoidable.

**e. Geology.** This alternative would involve business park uses and residential uses, but the Project site would remain subject to the same potential geological impacts as the Project. Therefore, the potential for adverse effects caused by seismic settlement, liquefaction, erosion, and expansive soils would be similar to the Project under this alternative. This alternative would continue to require mitigation related to potential geologic impacts (Mitigation Measure GEO-1). Therefore, this alternative would result in geological impacts that would be less than significant with mitigation, and similar to the Project.

**f. Greenhouse Gas Emissions.** This alternative would reduce the size of the Project by at least 124 units. However, this alternative would involve business park development on a portion of the Project site. Business park development would result in increased GHG emissions from transportation and non-transportation sources. GHG emissions may exceed the annual efficiency threshold of 4.9 MT CO<sub>2</sub>e per service population. Therefore, in contrast to the Project, this alternative may generate emissions exceeding applicable thresholds. This impact would be potentially significant and would require mitigation.

**g. Hazardous Materials/Risk of Upset.** Like the Project, this alternative involves housing units and businesses park development near the U.S. 101 and UPRR corridors, a high-pressure natural gas pipeline, and businesses that store and use hazardous materials. However, like the Project, this alternative would not increase risk of upset conditions associated with those facilities. As with the Project, compliance with applicable federal, state, and local regulations pertaining to hazardous materials use, storage, and transport would minimize the potential risk of upset associated with hazardous materials use during project construction and operation. Impacts associated with the risk of upset would remain less than significant.

**h. Hydrology and Water Quality.** As with the Project, this alternative would involve structural development and paved area on the majority of the Project site. Therefore, there would be similar impervious surface area and associated surface water runoff and the potential for erosion and sedimentation under this alternative. As with the Project, this alternative would be required to implement mitigation measure HWQ-2 to reduce impacts to site drainage. Implementation of required mitigation measure would reduce impacts to a less than significant level. Under this alternative, as with the Project, compliance with NPDES requirements and implementation of Best Management Practices (BMPs) would be required and would ensure that hydrologic impacts from construction and water pollutants would remain less than significant.

**i. Land Use.** This alternative involves development of a business park and reduced number of residential units on the Project site (either 124 fewer units under Alternative 5a or 165 fewer units under Alternative 5b). The Project site has a General Plan land use designation of Medium-Density Residential (R-MD) and is designated as an Affordable Housing Opportunity Site. The Project site is zoned Medium Density Residential (R-MD). Therefore, the business park portion of this alternative would be inconsistent



with the City's General Plan and the Goleta Municipal Code's zoning regulations, and would require a General Plan amendment and zone change. However, this alternative would maintain the minimum density of 20 units/acre associated with the Affordable Housing Opportunity Site designation. This alternative would continue to require mitigation related to a temporary noise incompatibility impact (Mitigation Measure N-1). Effects related to privacy for adjacent businesses would remain significant but mitigable, similar to the Project.

**j. Noise.** Because this alternative would involve full development of the Project site with a different mix of uses than the Project, the anticipated duration of construction activity under this alternative would be generally similar to that of the Project. As with the Project, construction activities would occur within 50 feet of sensitive receptors. This alternative would continue to require a similar scale of pre-construction soil hauling to prepare the site for construction. Therefore, this alternative would continue to require Mitigation Measures N-1(a) through N-1(g) for construction impacts. However, as with the Project, temporary construction noise impacts would remain significant and unavoidable.

Operational noise associated with this alternative would include typical noise associated with business park development such as vehicular movement, conversations, HVAC systems, loading, unloading, forklifts, and other equipment. These sources of operational noise would be comparable to surrounding business park uses and would not result in a significant noise impact. This alternative would generate more vehicle trips than the Project. Therefore, traffic-related noise would increase in comparison to the Project and may require mitigation.

Similar to the Project, activity during the construction period would not result in vibration levels that would exceed 80 VdB, and would not be expected to result in vibration levels that would be perceptible at nearby residences in excess of 30 vibration events of the same kind per day. Therefore, impacts associated with groundborne vibration would be less than significant.

**k. Public Services.** This alternative would involve development of a business park and residential uses on the Project site. This alternative would result in fewer residential units than the Project; however, the same Santa Barbara County Fire Protection District requirements pertaining to defensible space, serviceable access, fire hydrants, and sprinkler systems would apply. Therefore, this alternative would have the same overall impacts to public services as the Project. As with the Project, impacts to public services would be less than significant.

**l. Recreation.** This alternative would result in fewer residential units, and therefore fewer new residents than the Project. As a result, this alternative would result in a lower demand for public parks than the Project. Like the Project, this alternative would provide private recreational facilities for residents, as well as a two-acre public park. As with the Project, payment of parks development impact fees would be required, and impacts to recreation would be less than significant.

**m. Transportation/Circulation.** This alternative includes a mix of uses, which would include in fewer residential units than the Project, but would include business park development. The mix of uses proposed under this alternative may result in internal trips within the Project site, which would somewhat reduce off-site VMT compared to the Project. Like the Project, impacts related to conflict or inconsistency with CEQA Guidelines Section 15063.3, subdivision (b) would remain less than significant. With fewer residents generated under this alternative than the Project, this alternative would not overburden transit services or impact the operations of bicycle facilities in the Project site vicinity. Impacts to related to conflict with alternative transportation program plan, ordinances or policies would remain less than significant.



**n. Utilities and Service Systems.** This alternative would involve development of a business park and residential uses on the Project site. This alternative would result in 124 (Alternative 5a) to 165 (Alternative 5b) fewer residential units than the Project. However, business park uses that would replace residential units on the Project site would result in increased reliance on utilities and services systems which serve the site. Estimated water demand, wastewater generation, and solid waste generation associated with Alternative 5a and Alternative 5b, based on factors from the City’s *Environmental Thresholds and Guidelines Manual*, and assumptions used in Section 4.14, *Utilities and Service Systems*, are shown in Table 6-2.

**Table 6-2  
 Comparison of Alternative 5 and the Project Water Demand,  
 Wastewater Generation, and Solid Waste Generation**

Land Use	Units	Water Demand	Wastewater Generation	Non-Recyclable Solid Waste Generation
<b>Project</b>				
Residential	332 Units	39.4 AFY	0.06 mgd	242 tpy
<b>Alternative 5a</b>				
Residential	208 Units	25 AFY	0.04 mgd	152 tpy
Business Park <sup>1</sup>	179.4 ksf	54 AFY	0.05 mgd	44 tpy
<b>Total<sup>2</sup></b>		<b>79 AFY</b>	<b>0.09 mgd</b>	<b>196 tpy</b>
<b>Alternative 5b</b>				
Residential	167 Units	20 AFY	0.03 mgd	122 tpy
Business Park <sup>1</sup>	89.7 ksf	27 AFY	0.02 mgd	22 tpy
<b>Total<sup>2</sup></b>		<b>47 AFY</b>	<b>0.05 mgd</b>	<b>144 tpy</b>

<sup>1</sup> Water demand of 0.30 AFY/ksf. Solid waste generation rate of 0.9 tons/ksf and a diversion rate of 69%. Rates based on the City’s *Environmental Thresholds and Guidelines Manual*. Wastewater generation is assumed to be approximately 90% of water demand.

<sup>2</sup> Totals may reflect rounding of decimals now shown in this table.

As shown in Table 6-2, under Alternative 5a, demand for water would increase from approximately 39.4 acre feet per year (AFY) to approximately 79 AFY. Wastewater generation under this Alternative 5a would increase from approximately 0.06 mgd to approximately 0.09 mgd. Non-recyclable solid waste generation under Alternative 5a would decrease from approximately 242 tons per year to approximately 196 tons per year. Overall, under Alternative 5b, demand for water would increase from approximately 39.4 acre feet per year (AFY) to approximately 47 AFY. Wastewater generation under this Alternative 5b would decrease from approximately 0.06 mgd to approximately 0.05 mgd. Non-recyclable solid waste generation under Alternative 5b would decrease from approximately 242 tons per year to approximately 144 tons per year. As with the Project, impacts associated with water and wastewater generation would remain less than significant. However, impacts associated with solid waste generation would be reduced to a less than significant level under Alternative 5b.

## 6.6 ALTERNATIVE SITES

Alternative sites for developing a project similar to the Project (332 multi-family dwelling units with parking and recreational amenities on an approximately 17.4-gross acre site/14.05 net developable area



site) were considered but determined to be infeasible. None of these sites is owned or controlled by the applicant and thus could not be developed by this entity. Some of the undeveloped sites are too small in area (e.g., Kenwood Village Site, 7300 Calle Real) or too constrained by creeks and Environmentally Sensitive Habitat Areas (ESHA) (e.g., Girsh/Western Site at 7100 block of Hollister Avenue).

Of the remaining vacant sites within the City that could accommodate development of similar scale to the Project, some are currently designated as Agriculture in the General Plan and others have a non-residential land use designation. Development on vacant sites with an Agricultural designation (e.g., Bishop Ranch) would result in losses of agricultural lands, creating a new impact for the residential project and requiring a General Plan amendment and zone change. The Bishop Ranch site is subject to Chapter 2.0 of the Goleta General Plan Land Use Element as amended by Measure G. Chapter 2.0 of the Land Use Element prohibits conversion of most land designated as agriculture on Figure 2-1 (Land Use Plan Map) of the General Plan without voter approval. There are limited vacant non-residential sites in the City, which are primarily located in the overflight areas of the Santa Barbara Airport. In addition, to the Airport constraint, changing the designation to residential would entail a General Plan amendment and a zone change. Many of the remaining vacant sites have pending or approved applications for development with the City. Therefore, analysis of an alternative site for the project is not warranted based on the reasons stated above.

## 6.7 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

Table 6-3 compares the physical impacts for each of the alternatives to the physical impacts of the Project. The No Project Alternative would be the overall environmentally superior alternative since it would avoid all impacts associated with development of the Project site. However, the No Project Alternative would not achieve the basic objectives of the Project as stated in Section 2.0, *Project Description*.

Among the development options, Alternatives 2 through 5 would all reduce one or more significant Project impacts, as discussed below:

- *Alternative 2 would somewhat reduce the potentially significant impact to cultural resources. Alternative 2 would incrementally reduce, but not eliminate impacts in several other issue areas, including air quality, greenhouse gas emissions, hydrology, noise, public services, and transportation due to a reduced number of residences proposed for development on the project site. Alternative 2 would eliminate the significant and unavoidable impact associated with solid waste generation.*
- *Alternative 3 would reduce residential exposure to noise and health risk from U.S. 101 and the UPRR. This alternative would reduce vehicle miles traveled and associated impacts related to air quality, greenhouse gases, and noise.*
- *Alternative 4 would reduce the Project's environmental effects to scenic resources, including views of the Santa Ynez Mountains; however, impacts to these views have been found less than significant. Alternative 4 would incrementally reduce impacts in several issue areas, including air quality, greenhouse gas emissions, noise, public services, and transportation due to the reduction in building height and number of units.*
- *Alternative 5 would reduce residential exposure to noise and health risk from U.S. 101 and the UPRR. This alternative would increase traffic generation and associated*



*impacts related to air quality, greenhouse gases, and noise. Alternative 5b would eliminate the significant and unavoidable impact associated with solid waste generation.*

In addition, Alternatives 2 through 5 would all fail to meet one or more of the Project objectives, as noted below:

- *Alternative 2 may not ~~fully~~ meet Objective 3 to the same extent as the proposed Project and would not meet Objective 4 due to the reduced ~~regarding the~~ number of residential units on the Project site.*
- *Alternative 3 may not ~~fully~~ meet Objective 3 to the same extent as the proposed Project due to the reduced ~~regarding the~~ number of residential units on the Project site. Because this alternative may require additional buildings to be 3-story, rather than 2-story as with the Project, Objective 9 to maintain visual resources may not be met.*
- *Alternative 4 may not ~~fully~~ meet Objective 3 to the same extent as the proposed Project due to the reduced ~~regarding the~~ number of residential units on the Project site. Objective 9 regarding the maintenance of visual resources would be met and improved under this alternative when compared to the Project.*
- *Alternative 5 may not ~~fully~~ meet Objective 3 to the same extent as the proposed Project due to the reduced ~~regarding the~~ number of residential units on the Project site. Because Alternative 5a may require buildings to be 3-story, Objective 9 to maintain visual resources may not be met.*

Alternatives 2 and 5b would each eliminate the Class I impact of the Project, related to solid waste generation. However, Alternative 5a would not eliminate this Class I impact. Alternative 3 would require additional buildings to be three-story rather than two-story, which could result in a potential significant impacts to scenic resources. All other project impacts would be reduced below identified thresholds of significance through implementation of the mitigation measures described in this EIR. Although some alternatives would reduce impacts in such areas as cultural resources and noise, these reductions would be incremental in nature and adoption of an alternative rather than the Project would not be necessary to avoid significant environmental effects. Therefore, based on the reduction of impacts and ability to meet most of the objectives of the Project, Alternative 2 “Avoid CA-SBA-56 and Buffer” would be the environmentally superior alternative of those described above.





**Table 6-3  
 Impact Comparison of Alternatives**

<b>Issue</b>	<b>Alternative 1 No Project/ No Development</b>	<b>Alternative 2 Avoid CA-SBA- 56 and Buffer</b>	<b>Alternative 3 Increase Railroad/ Freeway Buffer and Higher Sound Barrier</b>	<b>Alternative 4 Reduced Building Height</b>	<b>Alternative 5 (a/b) Business Park Development</b>
Aesthetics	+	≡	≡/-	≡/+	≡
Air Quality	+	≡/+	≡/+	≡/+	≡/+
Biological Resources	+	=	=	=	=
Cultural Resources	+	≡/+	=	=	=
Geology and Soils	+	=	=	=	=
Greenhouse Gas Emissions	+	≡/+	≡/+	≡/+	-
Hazardous Materials/Risk of Upset	+	=	=	=	=
Hydrology and Water Quality	+	≡/+	≡/+	=	=
Land Use and Planning	-	-	-	=	≡/-
Noise	+	≡/+	+	≡/+	=
Public Services	+	≡/+	=	≡/+	=
Recreation	+	=	=	=	=
Transportation/ Circulation	+	≡/+	≡/+	≡/+	≡/+
Utilities and Service Systems	+	+	+	+	+

+ Superior to the Project (reduced level of impact)  
 - Inferior to the Project (increased level of impact)  
 = +/- slightly superior to the Project in one or more aspects, but not significantly superior  
 = /- slightly inferior to the Project in one or more aspects, but not significantly inferior  
 = Similar level of impact to the Project



## 7.0 REFERENCES AND EIR PREPARERS

### 7.1 REFERENCES FOR REVISED DRAFT EIR

#### 7.1.1 Source Material

##### Project Description

California Department of Finance. May 2020. E-5 Population and Housing Estimates for Cities, Counties, and the State, 2011-2020 with 2010 Census Benchmark. Available at:  
<https://www.dof.ca.gov/Forecasting/Demographics/Estimates/E-5/>

County of Santa Barbara. 2017. Stormwater Technical Guide for Low Impact Development. Available at:  
<https://countyofsb.org/uploadedFiles/pwd/content/sbpcw/development/stormwater-technical-guide-v2-2017-02-03.pdf>

Gerstle, Andrea and Jeffery Serena. 1982. Archaeological Investigation at SBA-56. Office of Public.

Housing Authority of the County of Santa Barbara. 2020. E-mail communication from John Polansky, Director of Housing Development. October 30, 2020.

Mac Design Associates. 2014. North Willow Springs II Preliminary Grading and Drainage Plan. Sheet C3 of 4. May 30, 2014.

Mac Design Associates. 1997. Historical Grading Activities on the Los Carneros Community Site. Prepared for Los Carneros Community Associates. June.

Towbes Group. 2014. Heritage Ridge Occupant/Unit Ratio Analysis Study.

United States Geological Survey. 1982. Soils Survey of Santa Barbara County, California, South Coastal Part.

##### Related Projects

City of Goleta. City of Goleta Cumulative Projects List. January 4.

County of Santa Barbara, Planning and Development. 2021. Cumulative Projects List. January 28. Available at: <https://www.countyofsb.org/plndev/projects/cumulativelist.sbc>

##### Aesthetics/Visual Resources

California Department of Transportation (Caltrans). 2019. Scenic Highways, California State Scenic Highways, List of eligible and officially designated State Scenic Highways. August 2019. Available at:  
<https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>

City of Goleta. 2012. Willow Springs II Final Environmental Impact Report (SCH# 2010031059). May 2012.



City of Goleta. 2021. General Plan. Adopted October 2, 2006. Most recently updated January 2021. Available at: <https://www.cityofgoleta.org/city-hall/planning-and-environmental-review/general-plan>

County of Santa Barbara Planning and Development. 2021. Environmental Thresholds and Guidelines Manual. January. Available at: <https://cosantabarbara.app.box.com/s/vtxutffe2n52jme97lgm66os7pp3lm5>

UC Santa Barbara. 2010. *Vision 2025: Physical Design Framework*. July 2010. Available online at: <http://www.facilities.ucsb.edu/files/docs/Physical%20Design%20Framework%20Final.pdf>

### Air Quality

California Air Resources Board (CARB). 2005. Air Quality and Land Use Handbook: A Community Health Perspective.

California Air Resources Board (CARB). 2021. Air Quality Data Statistics. Top four Summary. Available at: <http://www.arb.ca.gov/adam/topfour/topfour1.php>

California Department of Finance (DOF). 2020. E-5 Population and Housing Estimates for Cities, Counties, and the State, 2011-2020 with 2010 Census Benchmark. May 2020. Available at: <https://www.dof.ca.gov/Forecasting/Demographics/Estimates/e-5/>

City of Goleta. 2021. General Plan. Adopted October 2, 2006. Most recently updated January 2021. Available at: <https://www.cityofgoleta.org/city-hall/planning-and-environmental-review/general-plan>

County of Santa Barbara Planning and Development. 2021. Environmental Thresholds and Guidelines Manual. January. Available at: <https://cosantabarbara.app.box.com/s/vtxutffe2n52jme97lgm66os7pp3lm5>

Santa Barbara County Air Pollution Control District (SBCAPCD). 2014. Public Health and High Traffic Roadways. Available at: <https://www.ourair.org/wp-content/uploads/pub-health-and-hi-traf-roadways.pdf>

Santa Barbara County Air Pollution Control District (SBCAPCD). 2015. Environmental Review Guidelines for the Santa Barbara County Air Pollution Control District. Santa Barbara County Air Pollution Control District website. April. Available at: <http://www.ourair.org/wp-content/uploads/APCDCEQAGuidelinesApr2015.pdf>

Santa Barbara County Air Pollution Control District (SBCAPCD). 2017. Scope and Content of Air Quality Sections in Environmental Documents. April. Available at: <https://www.ourair.org/wp-content/uploads/ScopeContentJune2017-LimitedUpdate.pdf>

Santa Barbara County Air Pollution Control District (SBCAPCD). 2019. 2019 Ozone Plan. December.

Santa Barbara County Air Pollution Control District (SBCAPCD). 2021. Meeting Air Quality Standards. Available at: <https://www.ourair.org/air-quality-standards/>



Santa Barbara County Association of Governments (SBCAG). 2019. Regional Growth Forecast 2050 Santa Barbara County. January 2019. Available at:  
[http://www.sbcag.org/uploads/2/4/5/4/24540302/regional\\_growth\\_forecast\\_2050.pdf](http://www.sbcag.org/uploads/2/4/5/4/24540302/regional_growth_forecast_2050.pdf)

#### Biological Resources

Aerial Information Systems, Inc. 2018. Vegetation Mapping –Eastern Goleta Valley Community Plan Area

American Ornithologists' Union (AOU). 2015. Check-list of North American Birds. Retrieved from:  
<http://www.aou.org/checklist/north/>

Audubon 2021. Santa Barbara Breeding Bird Study.  
<https://ucsb.maps.arcgis.com/apps/webappviewer/index.html?id=d5479baf24dc498a8e8f3894f298ed2>

Baldwin, B.G. (Ed.) et al., 2012. The Jepson Manual: Vascular Plants of California, Second Edition. University of California Press. Berkeley, California.

Bowers, N., R. Bowers, & K. Kaufman. 2004. Mammals of North America.

Burt, W.H., and R.P. Grossenheider. 1980. A Field Guide to the Mammals of North American North of Mexico. The Peterson Field Guide Series.

California Native Plant Society (CNPS). 2021. Inventory of Rare and Endangered Vascular Plants of California, Seventh Edition.

California Department of Fish and Wildlife. 2015. Special Vascular Plants, Bryophytes, and Lichens List.

California Department of Fish and Wildlife. 2020. California Sensitive Natural Communities  
California Department of Fish and Wildlife. 2021. California Natural Diversity Database (CNDDB)

California Wetlands Monitoring Workgroup (CWMW). 2013. California Rapid Assessment Method (CRAM) for Wetlands, Riverine Wetlands Field Book. Version 6.1. January 2013.

City of Carpinteria. 2003. General Plan/Local Plan Environmental Impact Report.

City of Santa Barbara. 1992. Goleta Slough Ecosystem Management Plan (GSEMP). December.

Central Coast Center for Plant Conservation. 2005. Rare Plants of Santa Barbara County

CNPS. 2021. A Manual of California Vegetation, Online Edition. <http://www.cnps.org/cnps/vegetation/>;  
California Native Plant Society, Sacramento, CA

Dudek. 2014a. Technical Review of Coastal Sage Scrub (CSS) Environmentally Sensitive Habitat Area (ESHA) for the North Willow Springs Project.

Dudek. 2014b. Wildlife Corridor Analysis for the Heritage Ridge Project



- Dudek. 2016. Response to Comment on White-tailed Kites from the California Department of Fish and Wildlife for the Santa Barbara Airport Master Plan Project, Santa Barbara County, SCH #2014061096
- Dudek. 2020a. Wildlife Corridor Study Report for the Creek and Watershed Management Plan
- Dudek. 2020a. Riparian Bird Study Report for the Creek and Watershed Management Plan
- Dunk, J.R. 1995. White-tailed Kite (*Elanus leucurus*). In *Birds of North America Online*, A. Poole, ed. Ithaca, NY: Cornell Laboratory of Ornithology.
- Ebird. 2021. eBird: An online database of bird distribution and abundance [web application]. eBird, Cornell Lab of Ornithology, Ithaca, New York. Available: <http://www.ebird.org>.
- Gallo. 2018. Connectivity Analysis Software for Estimating Linkage Priority. [https://figshare.com/articles/journal\\_contribution/User\\_Guide\\_Linkage\\_Priority\\_Tool\\_of\\_the\\_Linkage\\_Mapper\\_Toolbox/5673715](https://figshare.com/articles/journal_contribution/User_Guide_Linkage_Priority_Tool_of_the_Linkage_Mapper_Toolbox/5673715)
- Gallo. 2019a. Resistance Surfaces and Methods, Santa Barbara County <https://databasin.org/maps/3546267f730b4e73bff417a65ad93b34/>
- Gallo. 2019b. Structural Connectivity, Santa Barbara County. Conservation Biology Institute, <https://databasin.org/maps/new/#datasets=43a82ee209e547049e07f6b9d1e9c529>
- Goleta, City of. 2006. Final Goleta General Plan / Coastal Land Use Plan Environmental Impact Report (SCH # 2005031151)
- Goleta, City of. 2009. State of the Goleta Urban Forest Report: An Urban Resource Assessment for the City of Goleta
- Goleta, City of. 2011. Willow Springs II Draft Environmental Impact Report. City of Goleta. October 2011.
- Goleta, City of. 2012. Willow Springs II Final Environmental Impact Report (SCH# 2010031059) City of May, 2012.
- Goleta, City of. 2014. Village at Los Carneros Project Final Environmental Impact Report SCH# 2011111001. June, 2014.
- Goleta, City of. 2016. Goleta Zoning Ordinance Supplemental Environmental Impact Report
- Goleta, City of. 2019. Memorandum from Charles W. Ebeling, P.E., T.E., Public Works Director to the Mayor and Councilmembers Subject: Los Carneros Road and Calle Koral
- City of Goleta. 2020. City of Goleta Watershed Management Plan <https://www.cityofgoleta.org/home/showpublisheddocument/24655/637484869064670000> (November 2020)



- City of Goleta. 2021. Capital Improvement Program Division. Retrieved from:  
<https://www.cityofgoleta.org/city-hall/public-works/capital-improvement-program-division>
- Hatch. 2007. Trees of the California Landscape
- Hawbecker, A. C. 1942. A life history study of the white-tailed kite. Condor 44: 267-276.
- Hoagland, S. 2011. Habitat Linkage Project.
- Holland, Robert F. 1986. Preliminary Descriptions of the Terrestrial Natural Communities of California. California Department of Fish and Wildlife, Nongame Heritage Program. 156 pgs.
- Holmgren, M. A. 2000. White-tailed Kites Near Orcutt in September 1999 and The Protection Environment for Kites in Santa Barbara County, California.
- Holmgren, M.A. 2011. White-tailed Kite Mid-season Summary. Post to SB Co Birding email list.
- iNaturalist.2021. <https://www.inaturalist.org/observations>
- Lehman, P. E. "The Birds of Santa Barbara County, California", Revised edition, April 2015. Original edition: The Vertebrate Museum, University of California, Santa Barbara, 1994.
- Lehman. P.E. 2020. The Birds of Santa Barbara County, California. Revised edition. May 2020
- Leydecker, A. 2006. The Goleta Slough Watershed, A review of data collected from October 2005 through September 2006 by Santa Barbara Channelkeeper's Goleta Stream Team.
- MAC Design Associates. 2014. Preliminary Hydraulic Report for North Willow Springs.
- MAC Design Associates. 2014. Preliminary Stormwater Control Plan.
- Millikan and Lewis. 2011. The Birds of Lake Carneros
- National Audubon Society. 2015. Christmas Bird Count Historical Results. Accessed at <http://birds.audubon.org/historical-results> in October 2015.
- North Campus Open Space (NCOS) and Cheadle Center for Biodiversity and Ecological Restoration. 2020. North Campus Open Space Restoration Project Annual Monitoring Report: Year 2 (2019). Accessed at <https://escholarship.org/uc/item/5sj929vh>
- Oberhauser, K., Solensky, M. 2004. The Monarch Butterfly Biology and Conservation.
- Rundel and Gustafson. 2005. Introduction to the Plant Life of Southern California
- Rundel. 2007. Terrestrial Vegetation of California, 3rd Edition
- Santa Barbara, County of. 1993. Goleta Community Plan.



- Santa Barbara, County of. 2015. Eastern Goleta Valley Community Plan
- Santa Barbara, County of. 2018. Environmentally Sensitive Habitat / Riparian Corridor Overlay (Map)
- Sawyer, J. O., T. Keeler-Wolf, and J.M. Evens. 2009. A Manual of California Vegetation, Second Edition. California Native Plant Society, Sacramento, California.
- SelecTree. 2021. "Spathodea campanulata Tree Record." Cal Poly State University, San Luis Obispo.
- Spencer, et al. 2010. California Essential Habitat Connectivity Project: A Strategy for Conserving a Connected California,
- State of California Coastal Conservancy. 2017. Staff Recommendation April 27, 2017 CARPINTERIA BLUFFS III ACQUISITION Project No.16-043-01
- Stebbins, R. C. 2003. A Field Guide to Western Reptiles and Amphibians. 2nd ed. Houghton-Mifflin Company. Boston, Massachusetts.
- Stendell, R. C. 1972. The occurrence, food habits, and nesting strategy of White-tailed Kites in relation to a fluctuating vole population. Phd Thesis. Univ. of California, Berkeley.
- True Nature. 2020. Wildlife Corridor Analysis for the Heritage Ridge Project (Dudek, 2014b), and Preliminary Landscape Plan, Heritage Ridge.
- US Fish and Wildlife Service. 2002. Recovery Plan for the California Red Legged Frog (*Rana Aurora draytonii*)
- US Fish and Wildlife Service. 2010. Endangered and Threatened Wildlife and Plants; Revised Designation of Critical Habitat for the California Red Legged Frog. Federal Register / Vol. 75, No. 51
- Watershed Environmental Inc, 2020. Environmentally Sensitive Habitat Biological Survey and Mapping

#### Cultural and Tribal Cultural Resources

- Blakely, E.R., and Karen Barnette. 1985. Historical Overview of the Los Padres National Forest. Los Padres Forestwatch, Santa Barbara.
- Colten, Roger H. 1987. Intrasite Variability in Early and Middle Period Subsistence Remains from CA-SBA-143, Goleta, Santa Barbara County, California. Coyote Press, Salinas, CA.
- County of Santa Barbara, Resource Management Department. Goleta Community Plan. 1993. Available online at: <https://www.countyofsb.org/plndev/policy/communityplans.sbc>
- Dibblee, T. W. 1950. Geology of Southwestern Santa Barbara County, California: Point Arguello, Lompoc, Point Conception, Los Olivos, and Gaviota Quadrangle: California Division of Mines and Geology Bulletin 150, scale 1:62, 500.



- Erlandson, Jon M. 1988. *Of Millingstones and Molluscs: The Cultural Ecology of Early Holocene Hunter-Gatherers on the California Coast*. Ph.D. Dissertation, UCSB, University Microfilms International, Ann Arbor. 453 pp.
- Erlandson, Jon M. 1994. *Early Hunter-Gatherers of the California Coast*. Plenum Press, New York.
- Erlandson, Jon M. and Torben C. Rick. 2002. A 9700 Year Old Shell Midden on San Miguel Island, California. *Antiquity* 76:315-316.
- Erlandson, Jon M., Theodore Cooley, and Richard Carrico. 1987. A Fluted Projectile Point Fragment from the Southern California Coast: Chronology and Context at CA-SBA-1951. *Journal of California and Great Basin Anthropology* 9:120–128.
- Erlandson, Jon, Thomas Rockwell, Todd J. Braje, David Stone, and Brent Leftwich ND. CA-SBA-56: An “Oak Grove” and “Canalino” Site on Goleta Lagoon, California. In Publication.
- Gamble, Lynn H. 2008. *The Chumash World at European Contact. Power, Trade, and Feasting Among Complex Hunter-Gatherers*. University of California Press.
- Gerstle, Andrea and Jeffery Serena. 1982. *Archaeological Investigation at SBA-56*. Office of Public.
- Glassow, Michael A. 1997. Middle Holocene Cultural Development in the Central Santa Barbara Channel Region. In *Archaeology of the California Coast during the Middle Holocene*, edited by Jon M. Erlandson and Michael A. Glassow, pp. 73-90. *Perspectives in California Archaeology, Vol. 4*. Institute of Archaeology, University of California, Los Angeles.
- Goleta Valley Urban Agriculture Newsletter. 2002. History and Status of the Goleta Valley’s Urban Farms. Electronic document: <https://www.yumpu.com/en/document/view/19100462/i-history-and-status-of-the-goleta-valleys-urban-farms>
- Grenda, Donn R., Jeffrey A. Homburg, and Jeffrey H. Altschul. 1994. *The Centinela Site (CA-LAN-60): Data Recovery at a Middle Period, Creek-Edge Site in the Ballona Wetlands, Los Angeles County, California*. Technical Series 45. Statistical Research, Tucson.
- Guinn, J.M. 1977. *Gold! Gold! Gold! from San Francisquito!* In *Los Angeles Biography of a City*, edited by John Caughey and LaRee Caughey. University of California Press, Berkeley.
- Johnson, J. R., T. W. Stafford, Jr., H. O. Ajie, and D. P. Morris. 2002. *Arlington Springs Revisited*. In *Proceedings of the Fifth California Islands Symposium*, edited by D. Browne, K. Mitchell, and H. Chaney, pp. 541–545. USDI Minerals Management Service and the Santa Barbara Museum of Natural History, Santa Barbara, California.
- Johnson, John R., Claude N. Warren, and Susan E. Warren 1982 *Ethnohistoric Overview of Native American Culture in the Goleta Valley (1542-1835)*. In *Intensive Cultural Resources Survey for ~Goleta Flood Protection Program, Santa Barbara county, California*, edited by Larry Wilcoxon, pp. 12-48. Archaeological Systems Management, Inc., San Diego. Submitted to the U.S. Army Corps of Engineers, Los Angeles District.





- King, Chester D. 1982. Archaeological Investigations at Talepop (LAN-229). Office of Public Archaeology, University of California, Santa Barbara.
- Landberg, Leif C. W. 1965. The Chumash Indians of Southern California. Los Angeles: Southwest Museum Papers, Number 19.
- Orr, P. 1968. Prehistory of Santa Rosa Island. Santa Barbara Museum of Natural History. Santa Barbara, CA, 253 pp.
- SAIC and ISERA Group, Inc. 1996. Archaeological Assessment of Unexpected Finds at CASBA-56, Goleta, CA. Prepared for Los Carneros Community Associates. April.
- Stone, David. 1982. Sedimentation and Infilling of the Goleta Slough: a 1770 Reconstruction. Paper presented at the Symposium of Holocene Climate and Archaeology of California Coast and Desert, San Diego State University.
- Stone, David, and Ken Victorino. 2014. Final Phase 3 Data Recovery Program: CA-SBA-56, Willow Springs II, Goleta. Prepared for The Towbes Group, January. Ms. Available at Central Coast Information Center, University of California, Santa Barbara.
- Tompkins, Walker A. 1960. Santa Barbara's Royal Rancho: The Fabulous History of Los Dos Pueblos. University of Michigan Press.
- Tompkins, Walker A. 1966. Goleta: The Good Land. Goleta Amvets Post No. 55.
- United States Geological Survey. 1982. Soils Survey of Santa Barbara County, California, South Coastal Part.
- Whitehead, Richard. 1996. The Royal Presidio of Santa Barbara, Its Founding and Construction, 1782-1798. The Journal of San Diego History, 42:2.

#### Geology and Soils

- City of Goleta. 2004. General Plan Background Report No. 23: Private Utilities, and Solid Waste. May 12, 2004. Available at: <http://cityofgoleta.org/home/showdocument?id=640>
- City of Goleta. 2006. City of Goleta General Plan/Coastal Land Use Plan. Available at: <http://www.cityofgoleta.org/city-hall/planning-and-environmental-review/general-plan/view-general-plan>
- City of Goleta. 2009. City of Goleta General Plan/Coastal Land Use Plan, Figure 5-1, Geologic Hazards Map. November 2009. Available at: <https://www.cityofgoleta.org/city-hall/planning-and-environmental-review/general-plan>
- City of Goleta. 2016. City of Goleta General Plan/Coastal Land Use Plan, Figure 5-2, Fire, Flood, and Tsunami Hazards Map. June 2016. Available at: <https://www.cityofgoleta.org/city-hall/planning-and-environmental-review/general-plan>



County of Santa Barbara Planning and Development. 2021. Environmental Thresholds and Guidelines Manual. January. Available at:  
<https://cosantabarbara.app.box.com/s/vtxutffe2n52jme97lgmv66os7pp3lm5>

Earth Systems Pacific. 2014. Geotechnical Engineering Report. July 8, 2014.

United States Geological Survey. 1982. Soils Survey of Santa Barbara County, California, South Coastal Part.

### Energy

California Air Resources Board (CARB). 2011. Staff Report: Initial Statement of Reasons for Proposed Rulemaking, Public Hearing to Consider the “LEV III” Amendments to the California Greenhouse Gas and Criteria Pollutant Exhaust and Evaporative Emission Standards and Test Procedures and to the On-Board Diagnostic System Requirements for Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles, and to the Evaporative Emission Requirements for Heavy-Duty Vehicles. Available at: <http://www.arb.ca.gov/regact/2012/leviiighg2012/levisor.pdf>

California Building Standards Commission. 2019. 2019 California Green Building Standards Code (CALGreen), California Code of Regulations Title 24, Part 11. Available at:  
<https://www.dgs.ca.gov/BSC/Resources/Page-Content/Building-Standards-Commission-Resources-List-Folder/CALGreen>

Central Coast Community Energy (3CE). 2021. Energizing Economic and Environmental Progress for the Central Coast – Power Content Label. Available at: <https://3cenergy.org/understanding-clean-energy/>

California Department of Conservation Geologic Energy Management Division (CalGEM). 2019. 2018 Report of California Oil and Gas Production Statistics. Available at:  
[https://www.conservation.ca.gov/calgem/pubs\\_stats/annual\\_reports/Pages/annual\\_reports.aspx](https://www.conservation.ca.gov/calgem/pubs_stats/annual_reports/Pages/annual_reports.aspx)

California Department of Conservation Geologic Energy Management Division (CalGEM). 2021. Geologic Energy Management Division – Well Finder. Available at:  
<https://www.conservation.ca.gov/calgem/Pages/WellFinder.aspx>

California Department of Finance (DOF). 2020. E-5 Population and Housing Estimates for Cities, Counties, and the State, 2011-2020 with 2010 Census Benchmark. Available at:  
<https://www.dof.ca.gov/Forecasting/Demographics/Estimates/E-5/>

California Energy Commission (CEC). 2007. State Alternative Fuels Plan. December 2007. Available at:  
<https://ww3.arb.ca.gov/fuels/ab1007/ab1007.htm>

California Energy Commission (CEC). 2018. 2019 Building Energy Efficiency Standards. Available at:  
<https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2019-building-energy-efficiency>



California Energy Commission (CEC). 2020a. Final 2019 Integrated Energy Policy Report. Available at: <https://www.energy.ca.gov/data-reports/reports/integrated-energy-policy-report/2019-integrated-energy-policy-report>

California Energy Commission (CEC). 2020b. California Natural Gas Service Area. Available at: <https://cecgis-caenergy.opendata.arcgis.com/datasets/california-natural-gas-service-area>

California Energy Commission (CEC). 2020c. 2019 California Annual Retail Fuel Outlet Report Results (CEC-A15). Available at: <https://www.energy.ca.gov/data-reports/energy-almanac/transportation-energy/california-retail-fuel-outlet-annual-reporting>

California Energy Commission (CEC). 2021a. Oil Supply Sources to California Refineries. Available at: <https://www.energy.ca.gov/data-reports/energy-almanac/californias-petroleum-market/oil-supply-sources-california-refineries>

California Energy Commission (CEC). 2021b. 2019 Total System Electric Generation. Available at: <https://www.energy.ca.gov/data-reports/energy-almanac/california-electricity-data/2019-total-system-electric-generation>

California Energy Commission (CEC). 2021c. Supply and Demand of Natural Gas in California. Available at: <https://www.energy.ca.gov/data-reports/energy-almanac/californias-natural-gas-market/supply-and-demand-natural-gas-california#:~:text=Nearly%2045%20percent%20of%20the,90%20percent%20of%20its%20natural>

California Energy Commission (CEC). 2021d. California Energy Consumption Database. Available at: <http://ecdms.energy.ca.gov/>

California Gas and Electric Utilities (CGEU). 2020. 2020 California Gas Report, Decision D.95-01-039. Available at: <https://www.socalgas.com/regulatory/cgr>

California Public Utilities Commission (CPUC). 2008. 2008 Update to the Energy Action Plan. Available at: [https://www.cpuc.ca.gov/uploadedFiles/CPUC\\_Public\\_Website/Content/Utilities\\_and\\_Industries/Energy\\_-\\_Electricity\\_and\\_Natural\\_Gas/2008%20Energy%20Action%20Plan%20Update.pdf](https://www.cpuc.ca.gov/uploadedFiles/CPUC_Public_Website/Content/Utilities_and_Industries/Energy_-_Electricity_and_Natural_Gas/2008%20Energy%20Action%20Plan%20Update.pdf)

City of Goleta. 2006. Conservation Element: Land, Marine, and Air Resources. <https://www.cityofgoleta.org/home/showdocument?id=4071>

City of Goleta. 2014. Final Climate Action Plan. <https://www.cityofgoleta.org/home/showdocument?id=9735>

City of Goleta. 2017. NRG Ellwood Battery Storage Project. Available at: <https://www.cityofgoleta.org/city-hall/planning-and-environmental-review/ceqa-review/nrg-ellwood-battery-storage-project>

City of Goleta. 2020. Request For Proposals (RFP) For Solar Photovoltaic Microgrid Project. Available at: <https://www.cityofgoleta.org/home/showdocument?id=24231>



- Energy Star. 2021. About Energy Star. Available at: <https://www.energystar.gov/about>
- GasBuddy. 2021. Gas Price Map, San Luis Obispo, California. Available at: [www.gasbuddy.com](http://www.gasbuddy.com)
- DeVine, Blake, News Channel 3-12. 2021. Web Article – Goleta City Council gives green light to solar-powered charging station, March 8, 2021. Available at: <https://keyt.com/news/santa-barbara-county/2021/03/08/goleta-city-council-gives-green-light-to-solar-powered-charging-station/>
- Southern California Edison Company (SCE). 2021. About Us – Who We Are webpage. Available at: <https://www.sce.com/about-us/who-we-are>
- Southern California Edison Company (SCE). 2020. 2019 Power Content Label. Available at: [https://www.sce.com/sites/default/files/inline-files/SCE\\_2019PowerContentLabel.pdf](https://www.sce.com/sites/default/files/inline-files/SCE_2019PowerContentLabel.pdf)
- Southern California Gas Company (SoCal Gas). 2021a. Pipeline Integrity. Available at: <https://www.socalgas.com/stay-safe/pipeline-and-storage-safety/pipeline-integrity>
- Southern California Gas Company (SoCalGas). 2021b. Gas Transmission Pipeline Interactive Map, Santa Barbara County. Available at: <https://www.socalgas.com/stay-safe/pipeline-and-storage-safety/natural-gas-pipeline-map>
- Southern California Gas Company (SoCalGas). 2021c. Understanding Renewable Natural Gas. Available at: <https://www.socalgas.com/clean-energy/renewable-gas/understanding-renewable-natural-gas>
- United States Department of Energy (U.S. DOE). 2021. Alternative Fuels Data Center. Available at: [https://afdc.energy.gov/fuels/biodiesel\\_locations.html#/find/nearest?fuel=BD&location=california&page=1](https://afdc.energy.gov/fuels/biodiesel_locations.html#/find/nearest?fuel=BD&location=california&page=1)
- United States Department of Transportation. 2014. Corporate Average Fuel Economy (CAFE) Standards. Available at: <https://www.transportation.gov/mission/sustainability/corporate-average-fuel-economy-cafe-standards>
- United States Energy Information Administration (EIA). 2020a. Petroleum & Other Liquids, California Field Production of Crude Oil, Annual. Available at: <https://www.eia.gov/dnav/pet/hist/LeafHandler.ashx?n=pet&s=mcrfpca1&f=a>
- United States Energy Information Administration (EIA). 2020b. U.S. Energy Mapping System. Available at: <https://www.eia.gov/state/maps.php>
- United States Environmental Protection Agency (U.S. EPA). 2019. Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2017. U. S. EPA #430-R-19-001. Available at <https://www.epa.gov/sites/production/files/2019-04/documents/us-ghg-inventory-2019-main-text.pdf>



### Greenhouse Gas Emissions

California Air Pollution Control Officers Association (CAPCOA). 2008. CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act (CEQA). January.

California Air Pollution Control Officers Association (CAPCOA). 2017. CalEEMod User Guide. November. Available at: <http://www.aqmd.gov/caleemod/user's-guide>

California Air Resources Board (CARB). 2008. Climate Change Scoping Plan. Sacramento, CA. December 2008.

California Air Resources Board (CARB). 2011. Staff Report: Initial Statement of Reasons for Proposed Rulemaking, Public Hearing to Consider the "LEV III" Amendments to the California Greenhouse Gas and Criteria Pollutant Exhaust and Evaporative Emission Standards and Test Procedures and to the On-Board Diagnostic System Requirements for Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles, and to the Evaporative Emission Requirements for Heavy-Duty Vehicles. Available at: <http://www.arb.ca.gov/regact/2012/leviiiighg2012/levisor.pdf>

California Air Resources Board (CARB). 2013. AB 32 Scoping Plan. October. Available at: <http://www.arb.ca.gov/cc/scopingplan/scopingplan.htm>

California Air Resources Board (CARB). 2017. California's 2017 Climate Change Scoping Plan. December 14, 2017. Available at: [https://www.arb.ca.gov/cc/scopingplan/scoping\\_plan\\_2017.pdf](https://www.arb.ca.gov/cc/scopingplan/scoping_plan_2017.pdf)

California Air Resources Board (CARB). 2018. EMFAC2017 Volume III – Technical Documentation v.1.0.2. July 20, 2018. Available at: <https://ww3.arb.ca.gov/msei/downloads/emfac2017-volume-iii-technical-documentation.pdf>

California Air Resources Board (CARB). 2020. "California Agricultural Production Statistics." Available at: <https://www.cdfa.ca.gov/statistics/>

California Air Resources Board (CARB). 2021. EMFAC2021 Web Database. Available at: <https://ww2.arb.ca.gov/our-work/programs/mobile-source-emissions-inventory/road-documentation/msei-modeling-tools-emfac>

California Climate Change Center (CCCC). 2009. The Impacts of Sea-Level Rise on the California Coast. May.

California Department of Water Resources. 2018. Indicators of Climate Change in California. May. Available at: <https://oehha.ca.gov/media/downloads/climate-change/report/2018caindicatorsreportmay2018.pdf>

California Energy Commission (CEC). 2020. 2019 Building Energy Efficiency Standards. January 1, 2020. Available at: [https://www.energy.ca.gov/sites/default/files/2020-03/Title\\_24\\_2019\\_Building\\_Standards\\_FAQ\\_ada.pdf](https://www.energy.ca.gov/sites/default/files/2020-03/Title_24_2019_Building_Standards_FAQ_ada.pdf)

California Natural Resources Agency. 2009. 2009 California Climate Adaptation Strategy. March 2009. Available at: [http://resources.ca.gov/docs/climate/Statewide\\_Adaptation\\_Strategy.pdf](http://resources.ca.gov/docs/climate/Statewide_Adaptation_Strategy.pdf)



- City of Goleta. 2014. Final Climate Action Plan. July 2014. Available at:  
<https://www.cityofgoleta.org/home/showpublisheddocument?id=9735>
- City of Goleta. 2018. Bicycle Pedestrian Master Plan. Adopted October 16, 2018. Available at:  
<https://www.cityofgoleta.org/projects-programs/bicycle-projects/bicycle-pedestrian-master-plan-project>
- Intergovernmental Panel on Climate Change (IPCC). 2007: Summary for Policymakers. In: Climate Change 2007: The Physical Science Basis. Contribution of Working Group I to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change [Solomon, S., D. Qin, M. Manning, Z. Chen, M. Marquis, K.B. Averyt, M. Tignor and H.L. Miller (eds.)]. Cambridge University Press, Cambridge, United Kingdom and New York, NY, USA.
- Intergovernmental Panel on Climate Change (IPCC). 2013. Climate Change 2013, The Physical Science Basis, Summary for Policy Makers. Geneva, Switzerland. September 2003.
- Intergovernmental Panel on Climate Change (IPCC). 2014a. Climate Change 2014: Mitigation of Climate Change. Summary for Policymakers - Contribution of Working Group III to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change. Cambridge University Press, Cambridge, United Kingdom and New York, NY, USA.
- Intergovernmental Panel on Climate Change (IPCC). 2014b. Climate Change 2014 Synthesis Report. Contribution of Working Groups I, II and III to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change [Core Writing Team, R.K. Pachauri and L.A. Meyer (eds.)]. IPCC, Geneva, Switzerland.
- Intergovernmental Panel on Climate Change (IPCC). 2018. Summary for Policymakers. In: Global warming of 1.5°C. An IPCC Special Report on the impacts of global warming of 1.5°C above pre-industrial levels and related global greenhouse gas emission pathways, in the context of strengthening the global response to the threat of climate change, sustainable development, and efforts to eradicate poverty. Available at: <https://www.ipcc.ch/sr15/>
- National Oceanic & Atmospheric Administration (NOAA). 2010. *Annual Greenhouse Gas Index*. September 2010. Available at: <http://www.esrl.noaa.gov/gmd/aggi/>
- National Oceanic and Atmospheric Administration (NOAA). 2020. "Global Climate Report for Annual 2019." State of the Climate. January 2020. Available at:  
<https://www.ncdc.noaa.gov/sotc/global/201813>
- National Oceanic and Atmospheric Administration (NOAA). 2021. Trends in Atmospheric Carbon Dioxide. <https://www.esrl.noaa.gov/gmd/ccgg/trends/gr.html>
- Parmesan, C. 2006. Ecological and Evolutionary Responses to Recent Climate Change.
- Santa Barbara County Association of Governments (SBCAG). 2019. Population, Job, and Household Forecasts to 2050. January 2019. Available at:  
[http://www.sbcag.org/uploads/2/4/5/4/24540302/regional\\_growth\\_forecast\\_2050.pdf](http://www.sbcag.org/uploads/2/4/5/4/24540302/regional_growth_forecast_2050.pdf)



South Coast Air Quality Management District (SCAQMD). 2008. South Coast Air Quality Management District. October. [http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-\(ghg\)-ceqa-significance-thresholds/ghgattachente.pdf](http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-(ghg)-ceqa-significance-thresholds/ghgattachente.pdf)

State of California. 2018. California's Fourth Climate Change Assessment Statewide Summary Report. August 27, 2018. Available at: <http://www.climateassessment.ca.gov/state/>

United States Environmental Protection Agency (U.S. EPA). 2016. Climate Change Indicators: Atmospheric Concentrations of Greenhouse Gases. August 2016. <https://www.epa.gov/climate-indicators/climate-change-indicators-atmospheric-concentrations-greenhouse-gases>

United States Environmental Protection Agency (U.S. EPA). 2020. Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2018. U. S. EPA #430-R-20-002. April 2020. Available at: <https://www.epa.gov/ghgemissions/inventory-us-greenhouse-gas-emissions-and-sinks-1990-2018>

United States Environmental Protection Agency (U.S. EPA). 2021. Understanding Global Warming Potentials. [https://www.epa.gov/ghgemissions/understanding-global-warming-potentials#:~:text=Nitrous%20Oxide%20\(N2O,than%20100%20years%2C%20on%20average](https://www.epa.gov/ghgemissions/understanding-global-warming-potentials#:~:text=Nitrous%20Oxide%20(N2O,than%20100%20years%2C%20on%20average)

World Meteorological Organization (WMO). 2013. Provisional Statement of Status of Climate in 2013: Continuing high temperatures globally and many climate extremes worldwide. Available at: <https://public.wmo.int/en/media/press-release/no-981-provisional-statement-status-of-climate-2013-continuing-high-temperatures>

World Meteorological Organization (WMO). 2020. "Greenhouse Gases." Available at: <https://public.wmo.int/en/our-mandate/focus-areas/environment/greenhouse%20gases>

#### Hazards and Hazardous Materials

Battelle. 2001. Comparative Risks of Hazardous Materials and Non-Hazardous Materials Truck Shipment Accidents/Incidents. March 2001.

Bureau of Transportation Statistics. 2011. U.S. Hazardous Materials Shipments by Hazard Class, 2007. Available at: <https://www.bts.gov/content/us-hazardous-materials-shipments-hazard-class-2007>

California Bureau of Mines and Geology. 1995. Radon Zone Map for Santa Barbara County. Revision by Milton Fonesca, December 2000.

California Department of Education. 2007. Guidance Protocol for School Site Pipeline Risk Analysis Volume 1 – User's Manual. Available online at <http://www.cde.ca.gov/ls/fa/sf/protocol07.asp>.

California Department of Transportation (Caltrans). 2015. Annual Average Daily Truck Traffic on the California State Highway System. Available at: <https://dot.ca.gov/programs/traffic-operations/census>



City of Goleta. 2006. City of Goleta General Plan/Coastal Land Use Plan Final Environmental Impact Report. Available at: <http://www.cityofgoleta.org/home/showdocument?id=750>.

Cuesta Pass Rails 2015. Available at: [http://cuestapassrails.com/railfan/coast\\_trains.html](http://cuestapassrails.com/railfan/coast_trains.html). Accessed 11/13/2015.

Envicom Corporation 2012a. Final Environmental Impact Report Westar Mixed-Use Village. July.

Envicom Corporation 2012b. Final Environmental Impact Report Willow Springs II. May.

Federal Railroad Administration Office of Safety Analysis. 2015. Ten Year Accident/Incident Overview <http://safetydata.fra.dot.gov/officeofsafety/publicsite/Query/TenYearAccidentIncidentOverview.aspx>. Accessed 11/18/2015.

Federal Emergency Management Agency, U.S. Department of Transportation Agency, and U.S. Environmental Protection Agency. 1989. Handbook of Chemical Hazard Analysis Procedures.

Frittelli, J.; Andrews, A.; Parfomak, P.; Pirog, R.; Ramseur, J.; and Ratner, M. 2014. U.S. Rail Transportation of Crude Oil: Background and Issues for Congress. December.

Governor's Office of Emergency Services, California Specialized Training Institute. 2014. Shelter in Place.

MAC Design Associates. 1997. Historical Grading Activities on the Los Carneros Community Site. Prepared for Los Carneros Community Associates. June.

Office of Freight Management and Operations, U.S. Department of Transportation, Federal Highway Administration. 2012. Freight Facts and Figures 2012.

Orange County. 2013. Initial Study for John Wayne Airport New Jet Fuel Pipeline and Tank Farm. December 2013. Prepared by Michael Brandman Associates.

Property Solutions, Inc. 2014. Phase I Environmental Assessment. September 25, 2014.

Santa Barbara County Environmental Health Department Hazardous Materials Unit (HMU). 2016. List of businesses located within 1/4-mile of the project site that use potentially hazardous chemicals. Provided April 2016.

State of Washington. 2015. Washington State 2014 Marine and Rail Oil Transportation Study. March.

#### Hydrology and Water Quality

California Emergency Management Agency (CalEMA). 2009. Tsunami Inundation Map for Emergency Planning: Goleta Quadrangle. January 31, 2009. Available at: [http://www.conservation.ca.gov/cgs/geologic\\_hazards/Tsunami/Inundation\\_Maps/SantaBarbara/Documents/Tsunami\\_Inundation\\_Goleta\\_Quad\\_SantaBarbara.pdf](http://www.conservation.ca.gov/cgs/geologic_hazards/Tsunami/Inundation_Maps/SantaBarbara/Documents/Tsunami_Inundation_Goleta_Quad_SantaBarbara.pdf)





- City of Goleta. 2006. City of Goleta General Plan/Coastal Land Use Plan. Available at:  
<http://www.cityofgoleta.org/city-hall/planning-and-environmental-review/general-plan/view-general-plan>
- County of Santa Barbara Planning and Development. 2021. Environmental Thresholds and Guidelines Manual. January. Available at:  
<https://cosantabarbara.app.box.com/s/vtxutffe2n52jme97lgm66os7pp3lm5>
- MAC Design Associates. 2002. Final Hydraulic Report for Willow Springs I. January 2, 2002.
- MAC Design Associates. 2012. Final Hydraulic Report for Willow Springs II. October 24, 2012.
- MAC Design Associates. 2014. Preliminary Hydraulic Report for North Willow Springs. August 27, 2014.
- MAC Design Associates. 2016. Preliminary Stormwater Control Plan for Heritage Ridge. February 2, 2016.
- Santa Barbara County Office of Emergency Management. 2017. 2017 Santa Barbara County Multi-Jurisdictional Hazard Mitigation Plan. Available at:  
<https://readysbc.org/2021/03/19/2022mjhmpupdate/>
- Santa Barbara, County of. 2017. Stormwater Technical Guide for Low Impact Development. Available at:  
<https://countyofsb.org/uploadedFiles/pwd/content/sbpcw/development/stormwater-technical-guide-v2-2017-02-03.pdf>
- State Water Resources Control Board (SWRCB). 2011. 2010 Integrated Report (Clean Water Act Section 303(d) List / 305(b) Report. Available at  
[http://www.waterboards.ca.gov/water\\_issues/programs/tmdl/integrated2010.shtml?wbid=CAR3153102019990304102735](http://www.waterboards.ca.gov/water_issues/programs/tmdl/integrated2010.shtml?wbid=CAR3153102019990304102735)

#### Land Use and Planning

- City of Goleta. 2006. City of Goleta General Plan/Coastal Land Use Plan. Available at:  
<http://www.cityofgoleta.org/city-hall/planning-and-environmental-review/general-plan/view-general-plan>
- City of Goleta. 2006. City of Goleta General Plan/Coastal Land Use Plan Final Environmental Impact Report. Available at: <http://www.cityofgoleta.org/home/showdocument?id=750>

#### Noise

- City of Goleta. 2021. Westar Mixed-Use FEIR.
- Gordon Bricken & Associates. 1996. Acoustical Analysis Addendum to the Adopted Environmental Impact Report Disneyland Resort, City of Anaheim, February 1996.
- Harris, Cyril M. 1979. Handbook of Noise Control, 2<sup>nd</sup> Ed.



### Public Services

California Department of Finance (DOF). May 2020. E-5 Population and Housing Estimates for Cities, Counties, and the State, 2011-2020 with 2010 Census Benchmark. Available at: <https://www.dof.ca.gov/Forecasting/Demographics/Estimates/E-5/>

City of Goleta. 2019. 2018/2019 Goleta Valley Library Annual Report. Available at: <https://www.cityofgoleta.org/city-hall/goleta-valley-library/information/frequently-asked-questions>

City of Goleta. 2021. Email communication from Allison Gray, Library Director. April 13, 2021.

Education Data Partnership. 2021. School Summary, 2019-20 Enrollment. Available at: <http://www.ed-data.org/school/Santa-Barbara/Santa-Barbara-Unified/Dos-Pueblos-Senior-High>

Goleta Union School District. 2020 District Facilities Master Plan. Available at: <https://www.goleta.k12.ca.us/facilities/>

Santa Barbara County Fire Protection District (SBCFD). 2021. Telephone communication from Captain Daniel Bertucelli, Public Information Officer. February 17, 2021.

Santa Barbara County Fire Department (SBCFD), Fire Prevention Division. 2021. Planning and Engineering Development Standards. Available at: <https://www.sbcfire.com/development-standards>

Santa Barbara County Sheriff's Office, South County Operations Division, City of Goleta. 2021. Email communication from Rich Brittingham, Lieutenant. February 18, 2021.

Santa Barbara Unified School District (SBUSD). 2021. SBUSD Facility Data Sept 2016, email attachment provided by Martha Garcia, Administrative Assistant. March 16, 2021.

### Recreation

California Department of Finance (DOF). 2020. E-5 Population and Housing Estimates for Cities, Counties, and the State, 2011-2020 with 2010 Census Benchmark. May 2020. Available at: <https://www.dof.ca.gov/Forecasting/Demographics/Estimates/e-5/>

City of Goleta. 2006. City of Goleta General Plan/Coastal Land Use Plan. Available at: <http://www.cityofgoleta.org/city-hall/planning-and-environmental-review/general-plan/view-general-plan>

City of Goleta Public Works Department. 2021. Email communication from George Thompson, Parks & Open Space Manager. July 20, 2021.

Housing Authority of the County of Santa Barbara. 2020. E-mail communication from John Polansky, Director of Housing Development. October 30, 2020.

Towbes Group. 2014. Heritage Ridge Occupant/Unit Ratio Analysis Study.



### Transportation

ATE (Associated Transportation Engineers). 2014. North Willow Springs Project, City of Goleta, California, Traffic Circulation and Parking Study. ATE Project No. 12089.01. Prepared for the Towbes Group Inc. Santa Barbara, California: ATE. May 27, 2014.

California Department of Finance (DOF). May 2020. E-5 Population and Housing Estimates for Cities, Counties, and the State, 2011-2020 with 2010 Census Benchmark. Available at:  
<https://www.dof.ca.gov/Forecasting/Demographics/Estimates/E-5/>

City of Goleta. 2020. Resolution No. 20-44: A Resolution of the City Council of the City Of Goleta, California, Adopting Guidelines for the Implementation of Vehicle Miles Travelled, Including Vehicle Miles Travelled Thresholds of Significance, for Land Use and Transportation Projects in the City Of Goleta and Finding the Same is Not a Project Subject to the California Environmental Quality Act July 7.

Santa Barbara Metropolitan Transit District (MTD). 2019. System Ridership Report: December 2019. Available at: <https://v5j4m7k3.rocketcdn.me/wp-content/uploads/2020/01/December-2019-Monthly-Ridership-Report.pdf>

Santa Barbara Metropolitan Transit District (MTD). 2020. System Ridership Report: December 2020. Available at: <https://v5j4m7k3.rocketcdn.me/wp-content/uploads/2021/01/December-2020-Monthly-Ridership-Report.pdf>

State of California, Employment Development Department (EDD). 2020. Labor Force and Unemployment Rate for Cities and Census Designated Places. Available at:  
<https://www.labormarketinfo.edd.ca.gov/data/labor-force-and-unemployment-for-cities-and-census-areas.html>

State of California, Governor's Office of Planning and Research (OPR). 2018. Technical Advisory on Evaluating Transportation Impacts in CEQA. December.

Santa Barbara County Association of Governments (SBCAG). 2021. Congestion Management Process. Available at: <http://www.sbcag.org/cmp-807647.html>

### Utilities

California Department of Resources Recycling and Recovery. 2019. SWIS Facility/Site Activity Details: Tajiguas Res Rec Proj & Sanitary LF (42-AA-0015). Available at:  
<https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/1252?siteID=3283>

California Cable & Telecommunications Association. 2020. "Cable in California."  
<https://www.cable.org/learn/cable-in-california/>

California Public Utilities Commission (CPUC). 2020. "Communications: Telecommunications and Broadband." <http://www.cpuc.ca.gov/Communications/>



Central Coast Regional Water Quality Control Board (CCRWQCB). September 21, 2017. Waste Discharge Requirements for the Goleta Sanitary District Water Resource Recovery Facility Discharge to the Pacific Ocean. Available at: <https://goletasanitary.org/environmental-protection/wastewater-treatment/process-description>

City of Goleta. May 12, 2004. General Plan Background Report No. 23: Private Utilities, and Solid Waste. Available at: <http://cityofgoleta.org/home/showdocument?id=640>

Goleta Water District. July 2017. 2015 Urban Water Management Plan Update – Final. Available at: <https://www.goletawater.com/documents>

Goleta Water District. November 8, 2016. Groundwater Management Plan: Goleta Groundwater Basin 2016 Update. Available at: <https://www.goletawater.com/documents>

Goleta Water District. 2010 Water Conservation Plan. Available at: <https://www.goletawater.com/documents>

County of Santa Barbara Public Works Department, Resource Recovery & Waste Management Division. 2020. Annual Report for Solid Waste Management Services (Fiscal Year 2019-20). Available at: <http://lessismore.org/county-programs/>

Heaton, Jim, Senior Water Resource Analyst, Goleta Water District. 2015. Personal communication. June 4, 2015.

Nation, Mark, General Manager/Superintendent, Goleta West Sanitary District. 2015. Personal communication. June 2, 2015.

United States Environmental Protection Agency. 1998. Characterization of Building-Related Construction and Demolition Debris in the United States. June. Available at: <https://www.epa.gov/smm/characterization-building-related-construction-and-demolition-debris-united-states>

### Wildfire

California Department of Forestry and Fire Protection (CalFire). 2008. Very High Fire Hazard Severity Zones in LRA map, Santa Barbara County. Available at: <https://osfm.fire.ca.gov/divisions/wildfire-planning-engineering/wildland-hazards-building-codes/fire-hazard-severity-zones-maps/>

City of Goleta. June 2016. City of Goleta General Plan/Coastal Land Use Plan, Figure 5-2, Fire, Flood, and Tsunami Hazards Map. Available at: <https://www.cityofgoleta.org/city-hall/planning-and-environmental-review/general-plan>

City of Goleta. 2020. City of Goleta Development Impact Fees - FY 2020/2021 (July 1, 2020 to June 30, 2021). Available at: <https://www.cityofgoleta.org/city-hall/finance/fee-schedule>



### Effects Found Not to be Significant

City of Goleta. 2021. General Plan. Adopted October 2, 2006. Most recently updated January 2021. Available at: <https://www.cityofgoleta.org/city-hall/planning-and-environmental-review/general-plan>

County of Santa Barbara Planning and Development. 2021. Environmental Thresholds and Guidelines Manual. January. Available at: <https://cosantabarbara.app.box.com/s/vtxutffe2n52jme97lgmv66os7pp3lm5>

Earth Systems Pacific. 2014. Geotechnical Engineering Report. July 8, 2014.

Santa Barbara County Fire Department (SBCFD), Fire Prevention Division. 2021. Planning and Engineering Development Standards. Available at: <https://www.sbcfire.com/development-standards>

### **7.1.2 Contacts**

Garcia, Martha, Administrative Assistant, Santa Barbara Unified School District. 2021. Personal communication. March 16, 2021.

Gray, Allison, Library Director, City of Goleta. 2021. Personal communication. April 13, 2021.

Heaton, Jim, Senior Water Resource Analyst, Goleta Water District. 2015. Personal Communication. June 4, 2015.

Nation, Mark, General Manager/Superintendent, Goleta West Sanitary District. 2015. Personal communication. March 1, 2021.

Santa Barbara County Fire Protection District (SBCFD). 2021. Telephone communication from Captain Daniel Bertucelli, Public Information Officer. February 17, 2021.

Santa Barbara County Sheriff's Office, South County Operations Division, City of Goleta. 2021. Email communication from Rich Brittingham, Lieutenant. February 18, 2021.

## **7.2 EIR PREPARERS**

The City of Goleta prepared this Revised Draft EIR with the assistance of Rincon Consultants, Inc. Rincon Consultants' staff involved in the preparation of the Revised Draft EIR are listed below.

Richard Daulton, MURP, Principal  
Nicole West, Project Manager  
Aileen Mahoney, Associate Environmental Planner  
Annaliese Miller, Environmental Planner  
Bill Vosti, Senior Environmental Planner  
Chris Bersback, Senior Environmental Planner/Program Manager  
Chris Shields, Senior Environmental Scientist II  
Christopher Julian, Principal Regulatory Specialist



Holly Harris, Senior Regulatory Specialist  
John Hindley, Senior Biologist  
Priya Pratap, Biologist/Project Manager  
Claire Stenger, Associate Biologist  
Mattie Magers, Environmental Planner  
Mimi McNamara, Environmental Planner  
Allysen Valencia, GIS Analyst  
Audry Brown, GIS Analyst  
Debra Jane Seltzer, Document Formatting and Production Specialist



*This page intentionally left blank.*



## 8.0 RESPONSES to COMMENTS on the DRAFT EIR

### 8.1 INTRODUCTION

In accordance with CEQA Guidelines §15088, the City of Goleta reviewed the comments received on the original Draft Environmental Impact Report (Draft EIR) for the Heritage Ridge Residential Project as well as the Revised Draft EIR, and prepared written responses to the written comments received. Responses to oral comments made at the Environmental Hearing Officer public hearings for the project were also prepared.

The original Draft EIR was circulated for a 52-day public review period between June 17, 2016 and August 8, 2016. The original 45-day comment period was scheduled to end on August 1, 2016, but was extended one calendar week at the request of the California Department of Fish and Wildlife. The City of Goleta also held an Environmental Hearing Officer meeting on July 20, 2016 to receive verbal public comments on the original Draft EIR.

After the original Draft EIR was circulated for public review in 2016, the Project was revised to include an affordable housing component, reduce the total number of housing units from 360 to 332 units, and provide increased right-of-way along Los Carneros Road, resulting in a building setback shift along this roadway. In addition, the revised project included a request for a Streamside Protection Area (SPA) buffer reduction of up to 33 feet in the northeast corner of the project site. A Revised Draft EIR was recirculated for a 45-day public review period on May 14, 2021 to June 28, 2021 which addressed the project design changes. The City of Goleta also held an Environmental Hearing Officer meeting on June 16, 2021 to receive verbal public comments on the Revised Draft EIR.

In accordance with CEQA Guidelines §15088, the City reviewed the comments received on the original Draft EIR and Revised Draft EIR and prepared written responses to both the written and oral comments received. Chapter 8 includes responses to comments received on the original Draft EIR. Chapter 9 includes responses to comments received on the Revised Draft EIR. Chapters 8 and 9 comprise the Comments and Responses document.

Each written comment that the City received is included in this Comments and Responses document. Responses to these comments were prepared to address the environmental concerns raised by the commenters and to indicate where and how the original and revised Draft EIRs address pertinent environmental issues. The comment letters were submitted by public agencies and private citizens or groups.

Any changes made to the text of the original Draft EIR correcting information, data or intent, other than minor typographical corrections or minor working changes, were either 1) incorporated into the Revised Draft EIR for sections that were recirculated or 2) noted in the Final EIR as changes from the Draft EIR for sections that were not included in the Revised Draft EIR. Any changes made to the text of the Revised Draft EIR correcting information, data or intent, other than minor typographical corrections or minor working changes, are noted in the Final EIR as changes from the Revised Draft EIR. Because in some cases the changes between the original Draft EIR and Revised Draft EIR were extensive, the full text of the changes are shown in the response to comments on the Draft EIR in Chapter 8. The changes that occurred between the Revised Draft EIR and Final EIR were less extensive; therefore, these changes are shown in underline for text additions and ~~strike through~~ for text deletions in the response to comments on the Revised Draft EIR in Chapter 9.

The focus of the responses to comments is the disposition of environmental issues that are raised in the comments, as specified by CEQA Guidelines §15088(c). Detailed responses are not provided to comments on





the merits of the proposed project. However, when a comment is not directed to an environmental issue, the response indicates that the comment has been noted and forwarded to the appropriate decision-makers for review and consideration.

## 8.2 GENERAL REVISIONS INCORPORATED INTO THE FINAL EIR

Subsequent to public review of the Revised Draft EIR, the grading plan was revised to reduce soil export. In addition, in response to public comments received on the Revised Draft EIR, the site plan was revised to reduce total parking, change the type of parking spaces, and increase open space in order to achieve a 100-foot buffer from the Los Carneros Creek Streamside Protection Area (SPA). These revisions are reflected in Section 2.0, *Project Description*, and discussed in the EIR analysis and this Response to Comments report where applicable.

*State CEQA Guidelines, Section 15088.5*, requires that a lead agency recirculate a Draft EIR when significant new information is added to the EIR prior to certification. The revisions to the project design do not constitute “significant new information” because they do not result in a new avoidable significant effect, do not substantially increase the severity of any environmental impacts, do not identify a feasible project alternative considerably different from others previously analyzed, and do not involve new mitigation measures or substantial revisions to mitigation measures that were proposed in the Revised Draft EIR. Because these revisions to the project description clarify or strengthen the analysis of impacts in the EIR and do not constitute significant new information, recirculation of the EIR is not required pursuant to CEQA Guidelines §15088.5.

## 8.3 RESPONSES TO PUBLIC TESTIMONY ON THE ORIGINAL DRAFT EIR

On July 20, 2016, the Environmental Hearing Officer conducted a public hearing regarding the original Draft EIR for the Heritage Ridge Residential Project. The hearing provided an opportunity for members of the public to receive a summary presentation of the project as well as the major findings of the Draft EIR. The primary purpose of the public comment portion of the hearing was to receive input from interested parties regarding the adequacy of the original Draft EIR. There was one speaker at the hearing. Table 8-1 summarizes comments made by the speaker. The City’s response to this comment follows.

**Table 8-1**  
**July 20, 2016, Public Hearing and Verbal Comment Summary**

Num.	Speaker/Affiliation	Comments
1	Sharon Tobler, Private Citizen	The commenter stated a concern about high rent prices in the City and the project’s impacts to mountain views. The commenter stated that the project would affect views from the nearby Willow Springs II development and result in disappearance of wildlife from the project site. The commenter stated a preference for the reduced building height alternative to preserve views.



### 1. Sharon Tobler, Private Citizen

The project would obstruct private views of the mountains from the adjacent Willow Springs II development. As stated in the discussion of Impact AES-1 in Section 4.1, *Aesthetics/Visual Resources* of the Draft EIR, the Project could potentially affect northward views of the Santa Ynez Mountains from the private, Willow Springs II multi-family residences to the south of the site and from S. Los Carneros Road at Calle Koral.

Policy VH 1.8 of the Visual and Historic Resources Element of the Goleta General Plan requires development to be considerate of private views. However, the City has not designated the view of the mountains from private property as scenic, and the obstruction of private views from the private, Willow Springs II property does not constitute a significant impact pursuant to CEQA, which is primarily concerned with public views of designated scenic resources. Because the Project would not substantially obstruct scenic views of the Santa Ynez Mountains from S. Los Carneros Road at Calle Koral, the EIR concludes that overall impacts to scenic resources would be less than significant. Also refer to Response 6.5, which addresses revisions to the Draft EIR evaluation of scenic views.

As stated in Section 4.3, *Biological Resources*, of the Draft EIR, biological surveys of the project site did not identify suitable habitat for special status wildlife species. However, the site could support protected nesting and/or foraging birds and could have potential indirect impacts to wildlife movement. Mitigation measures to reduce and/or avoid these potential impacts are included in Section 4.3 and would reduce such impacts to a less than significant level.

The preference for the reduced building height alternative will be forwarded to the City of Goleta decision-makers for their consideration. The City will review and consider all project alternatives and mitigation for scenic views and wildlife prior to making a final decision on the project.

## **8.4 WRITTEN COMMENTS AND RESPONSES ON THE ORIGINAL DRAFT EIR**

Each written comment on the original Draft EIR that the City of Goleta received is listed in Table 8-2. Comment letters are included in Appendix M. The comment letters were submitted by public agencies, local interest groups, private companies, and private citizens. Each comment letter has been numbered sequentially and each separate issue raised by the commenter, if more than one, has also been assigned a number. Each comment letter is reproduced in its entirety with the issues of concern lettered in the right margin. Responses to these comments have been prepared to address the environmental concerns raised by the commenters and to indicate where and how the original Draft EIR addressed pertinent environmental issues. The responses to each comment identify first the number of the comment letter, and then the number assigned to each issue (Response 2.1, for example, indicates that the response is for the first comment raised in Letter 2).

**Table 8-2  
 Written Comments Received on the Original Draft EIR**

<b>Letter No. and Commenter</b>	<b>Page No.</b>
1. Patricia A. Abel, Coastal District Deputy; California Department of Conservation, Division of Oil, Gas, and Geothermal Resources – District 3	8-5
2. Jonathan V. Leech, Senior Environmental Specialist/Acoustician; Dudek	8-6
3. Scott Morgan, Director; Governor’s Office of Planning and Research, State Clearinghouse and Planning Unit	8-11
4. Barbara Massey; Private Citizen	8-12
5. Carly Barham, Air Quality Specialist, Santa Barbara Air Pollution Control District	8-13
6. Steven M. Fort, Senior Planner; Suzanne Elledge Planning & Permitting Services, Inc.	8-18
7. David Stone, Cultural Resources Manager; Dudek	8-34
8. Betty Courtney, Environmental Program Manager I; California Department of Fish and Wildlife, South Coast Region	8-46
9. Sylvia Regalado, Barbara Lopez, and Sharon Ebel, Chairwoman and Councilmembers; Barbareño Band of Chumash Indians	8-52
10. Scott Morgan, Director; Governor’s Office of Planning and Research, State Clearinghouse and Planning Unit	8-55
11. Michael Towbes, The Towbes Group, Inc.	8-56
12. David Stone, Cultural Resources Manager; Dudek	8-57
13. David Stone, Senior Environmental Project Manager; Dudek	8-58
14. John H. Davis, Senior Ecologist; Dudek	8-60



*Letter 1*

**COMMENTER:** Patricia A. Abel, Coastal District Deputy, California Department of Conservation, Division of Oil, Gas, and Geothermal Resources – District 3

**DATE:** July 5, 2016

Response

The commenter states the Department’s role as a responsible agency for the supervision of oil and gas wells. The commenter identifies two plugged and abandoned wells in the vicinity of the project site and shows the approximate location of these wells on a provided map.

The two identified wells are located outside of the project site and the proposed development area associated with the project. As such, the project would not impede future access to the identified wells or result in any new potential hazards associated with the identified wells. As such, no changes to the document are warranted.

*Letter 2*

**COMMENTER:** Jonathan V. Leech, Senior Environmental Specialist/Acoustician, Dudek

**DATE:** July 26, 2016

Response 2.1

The commenter states that the Draft EIR's determination that construction noise impacts would be significant and unavoidable (Class I) is incorrect due to an inaccurate threshold citation and erroneous application of the City's noise regulations to construction activities in the Draft EIR. The commenter's opinion is that Impact N-1 should be significant but mitigatable (Class II), consistent with determinations for other projects in Goleta.

CEQA requires an analysis of an individual project's impact upon the environment based upon substantial evidence. The individual characteristics of any one project make a uniform analysis of all projects within a jurisdiction as to a particular impact inconsistent with CEQA. Whether or not a project has greater or fewer impacts in a particular category of concern as compared to previously considered projects, has no bearing on the analysis required by CEQA. The specific analysis in each impact section of the Draft EIR provides the reasoning for the determination of any identified Class I impact. As such, the City considers noise impacts on a project-by-project basis.

As described in Section 4.10.1(f) of the Draft EIR, the Goleta Municipal Code (GMC) Chapter 9.09 prohibits any loud and unreasonable noise in the City in order to preserve public peace and comfort for citizens of Goleta. Excessive or unreasonable noise is defined in Section 9.09.040 of the GMC as unnecessary sound or noise that is physically annoying to persons of ordinary sensitiveness, is harsh or prolonged enough, or unnatural or unusual in use, time, or place such that it creates physical discomfort to the inhabitants of the City. As described in Impact N-1, implementation of the maximum feasible construction noise reduction measures would reduce on-site construction-related noise generated by the Project to the extent feasible. However, due to the prolonged duration of construction for a period of up to 36 months, including up to 22 weeks of soil hauling using heavy trucks along Camino Vista, and within 50 feet of noise-sensitive receptors, including existing residential uses approximately 50 feet away along the southern project site border, construction-related noise was found to result in a significant and unavoidable impact (refer to Response 2.6 for a more detailed discussion of the Draft EIR analysis, revisions made to clarify the Final EIR, and the impact conclusion). As such, no changes to the document findings are warranted.

Response 2.2

The commenter states that Goleta Municipal Code Section 9.09.020, "Certain Noises Prohibited," does not apply to noise generated by construction equipment or general construction activities. Please see Response 2.1.

Response 2.3

The commenter states that the Draft EIR's reference to item (d) under the City's *Environmental Thresholds and Guideline Manual* is inaccurate and states that the correct reference indicates that "short-term construction noise impacts are intended primarily to be avoided by adherence to appropriate schedule restrictions" and that "the threshold concludes that adherence to construction schedule restrictions is



considered as adequate mitigation for construction noise impacts.” The commenter also refers to the Goleta General Plan Noise Element, which states that “Construction-related noise is appropriately managed by establishing and enforcing restrictions on hours permitted for construction activities that generate unacceptable noise levels. (Noise Element, Pg. 9-4),” as evidence that adherence to construction schedule restrictions is adequate mitigation for construction noise impacts.

Reference to the item (d) in the City’s *Environmental Thresholds and Guideline Manual* was clarified in the Revised Draft EIR to read as follows:

*“d) Noise from grading and construction activity within 1,600 feet of sensitive receptors, including schools, residential development, commercial lodging facilities, hospitals or care facilities.”*

However, clarifying the reference distance for which sensitive receptors may be impacted from 50 feet to 1,600 feet from construction does not change the threshold applied to construction noise in the Draft EIR or the Draft EIR finding. While the City’s *Environmental Thresholds and Guideline Manual* specifies that construction schedule restrictions are required to mitigate construction noise impacts, it does not state that this mitigation alone will be sufficient to reduce impacts to a less than significant level in all situations. The manual specifically states that additional mitigation, such as noise attenuation barriers and muffling of equipment, may also be required to mitigate noise.

As discussed in Response 2.1, the City considers impacts on a project-by-project basis. As described in the Draft EIR Impact N-1, due to the duration of construction, particularly the 22 weeks of soil excavation, loading, and truck hauling by 196 heavy trucks per day and the proximity of the project to nearby residential units, temporary construction-related noise was found to result in a significant and unavoidable impact.

#### Response 2.4

The commenter reiterates an opinion that Goleta Municipal Code Chapter 9.09 does not apply to construction noise and that the appropriate threshold is the corrected reference to item (d) under the City’s *Environmental Thresholds and Guideline Manual*. The commenter also states that adherence to construction schedule restrictions and notification to sensitive receptors was determined to be adequate mitigation in the Citrus Village Final Mitigated Negative Declaration (MND) and that, similarly, it should be adequate mitigation to reduce construction noise impacts to a less than significant level in the Draft EIR.

Please see Responses 2.1 and 2.3. As discussed in Response 2.1, the City considers impacts on a project-by-project basis. As described in the Draft EIR Impact N-1, due to the duration of construction (a period of approximately 36 months, including 22 weeks of soil hauling) and the proximity of the project to nearby residential units, temporary construction-related noise was found to result in a significant and unavoidable impact.



### Response 2.5

The commenter states that neither the Noise Element nor the Goleta Municipal Code establishes maximum or hourly average noise exposure levels for noise sensitive land uses. The commenter also states that with application of typical exterior to interior attenuation provided by residential construction (up to 20-25 dBA with windows closed), daytime construction noise would not exceed 64 dBA inside nearby homes. The commenter states that incorporation of proper mufflers on equipment and locating stationary equipment as far from sensitive receptor as possible (on the northern portion of the site) would reduce impacts to a less than significant level.

As discussed in Response 2.1, the Goleta Municipal Code Section 9.09.020 limits maximum noise to 60 dBA at the edge of the property line. Furthermore, as discussed under item (b) in the City's *Environmental Thresholds and Guidelines Manual*, a significant impact would occur if a project would result in "Exposure to outdoor noise levels in excess of 65 dBA CNEL and/or exposure to interior noise levels in excess of 45 dBA CNEL." The commenter indicates that interior noise in nearby sensitive receptors would not exceed 64 dBA with standard exterior to interior noise attenuation; however, due to the project's construction period of approximately 36 months, including 22 weeks of soil hauling as well as the proximity of this work to nearby residential units, exterior noise levels would contribute to interior noise levels that may exceed 45 dBA CNEL. This would result in a significant impact. Incorporating proper mufflers is required by Mitigation Measure N-1(g) and locating stationary equipment as far from sensitive receptors as possible is required by Mitigation Measure N-1(d). The commenter is correct that implementation of these mitigation measures would reduce noise impacts to the maximum extent feasible; however, as indicated in Impact N-1 of the Draft EIR, they would not be sufficient to reduce construction noise impacts to a less than significant level.

### Response 2.6

The commenter states that noise impacts from haul trucks are overstated because maximum haul truck noise (88 dBA Lmax at 50 feet) is incorrectly compared to a threshold of 65 dBA Community Noise Equivalent Level (CNEL), which is a 24-hour weighted average value. The commenter requests that the discussion be revised to reflect the potential for nuisance noise, if haul trucks operate in the evening or overnight period, and to require mitigation restricting haul trucks in the surrounding residential neighborhoods during the period of 7 PM to 7 AM.

The commenter is correct that the City's 65 dBA CNEL exterior noise standard is applicable to long-term ambient noise sources and land use compatibility issues, and is not the intended to serve as the threshold for temporary construction activity. Impact N-1 describes the potential for noise conflicts associated with haul trucks during soil removal at the project site, including disclosing that haul trips would occur over a period of 22 weeks prior to project construction, and identifies construction noise impact as significant and unavoidable. Mitigation Measure N-1(a) restricts construction activity and equipment maintenance, including truck trips to and from the site and truck idling, to the hours between 8 AM and 5 PM, Monday through Friday. The haul trip noise discussion under Impact N-1 was changed in the Revised Draft EIR to clearly characterize the potential noise impact associated with haul truck trips during project soil removal, and to eliminate the reference to the City's 65 dBA CNEL exterior noise standard. This text was also revised in the Final EIR based on reduction in soil export. The text in the Final EIR reads as follows:

**"Impact N-1 Construction activities would be located within 50 feet of noise-sensitive receptors, including existing residential uses approximately 50**



**feet away along the southern project site border, and would last for up to 36 months, including up to 22 weeks of soil hauling using heavy trucks along Camino Vista. Therefore, temporary construction-related noise could result in a substantial temporary increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance. This impact would be Class I, significant and unavoidable [Threshold 1].**

[...]

The most affected adjacent uses are residential uses (Willow Spring I and II) south of the project site across Camino Vista approximately 50 feet away and residential uses (Village at Los Carneros) west of the project site across South Los Carneros Road approximately 175 feet away. The majority of residences located in the Village at Los Carneros development, adjacent to South Los Carneros Road, are shielded from the project site due to the elevation of the site relative to the South Los Carneros Road. Adjacent industrial uses to the east could be exposed to temporary noise levels up to 89 dBA range during the loudest periods of construction. However, these types of facilities are not considered noise sensitive receptors. Since construction activities would be located within 50 feet of residential uses and noise at these receptors could exceed 89 dBA for a period of up to 36 months, construction activities would result in a substantial increase in ambient noise levels at adjacent noise-sensitive receptors. Therefore, the impact from construction noise would be potentially significant.

In addition to these on-site sources of construction noise, the Project would involve approximately 178,000-cubic yards of cut and 15,500-cubic yards of fill with approximately 92,000-cubic yards of export material, as described in Section 2.3.3. Trucks hauling material to and from the site would be a source of construction noise during this phase, which is anticipated to last up to 22 weeks as described in Section 2.0, *Project Description*.

As shown in Table 4.10-5, noise from trucks can reach up to 88 dBA L<sub>max</sub> at 50 feet from the source. The only available haul route from the Project site is Camino Vista to Los Carneros to U.S. 101 which would require trucks to pass by the existing Willow Spring I and II sites south of the project site across Camino Vista. The closest residences are approximately 50 feet from the centerline of Camino Vista. Within Willow Springs I and II up to approximately 360 units could be affected by noise associated with soil excavation and hauling. Because hauling trucks would travel on roads directly adjacent to residential units and past sensitive receptors for a period of up to 22 weeks, resulting in noise levels up to 88 dBA L<sub>max</sub> at the nearest noise-sensitive receptors, soil hauling truck trips would result in a substantial increase in ambient noise levels at adjacent noise-sensitive receptors. Therefore, the noise impact from soil hauling during construction would be potentially significant. In addition, because on-site construction activities would be up to 89 dBA within 50 feet of the nearest existing residential receptors, overall construction noise impacts would be potentially significant.

**Mitigation Measures.** Construction activity associated with the Project would occur within 50 feet of sensitive receptors and could therefore generate noise that could result in a significant temporary noise conflict at nearby noise-sensitive receptors. Therefore, mitigation measures N-1(a) through N-1(g) are required to minimize construction-related noise.



[...]” (Mitigation Measures N-1(a) through N-N-1(g) are not reiterated in this section. Please refer to Section 4.10, Noise for the full mitigation measures).

**“Residual Impact.** Project construction would represent a temporary but prolonged source of noise to sensitive receptors adjacent to the Project site and along the route used by soil hauling trucks, which would impact existing residential units at the existing Willow Spring I and II sites south of the project site across Camino Vista. Mitigation Measures N-1(a) through N-1(g) require implementation of noise reduction devices and techniques during construction, and would reduce the noise levels associated with construction of the Project to the maximum extent feasible. Construction noise would be intermittent and temporary, and implementation of the maximum feasible construction noise reduction measures would reduce construction-related noise to the extent feasible. However, due to the fact that heavy construction equipment would be located as close to 50 feet from existing residential units, and the pre-construction soil hauling activity would result in heavy trucks passing existing residences along Camino Vista for up to 22 weeks, construction noise impacts would remain significant and unavoidable.”

In addition, it should be noted that construction vehicles, including haul truck trips, would be required to comply with the State requirement limiting truck idling to 5 minutes or less.

#### Response 2.7

The commenter states that Mitigation Measure N-1(a), which restricts construction timing, would provide the principal means for reducing construction noise impacts to a less than significant level. The commenter also states that there is no nexus between the project’s construction noise impact and Mitigation Measure N-1(b) Electrical Power, indicating that this measure should only be required where feasible. The commenter also states that Mitigation Measure N-1(d) Distancing of Vehicles and Equipment should be revised to direct contractors to locate stationary equipment and activity as far from adjacent noise-sensitive uses as feasible. Additionally, the commenter suggests that Mitigation Measure N-1(f) should not be required because project construction would be restricted to daytime hours. The commenter reiterates that in the case of the Mariposa at Ellwood Shores Assisted Living Project and Goleta Valley Cottage Hospital Medical Office Building Project, mitigation requiring construction hour limits, shielding on stationary sources of noise, and properly maintained sound-control devices were sufficient to reduce impacts to a less than significant level.

Please see Responses 2.1 through 2.5, which address the project’s significant and unavoidable construction noise impact. The City considers construction noise impacts and mitigation measures on a project-by-project basis. Due to the duration of construction (a period of approximately 36 months, including 22 weeks of truck hauling activities and 196 soil hauling trucks per day) and the proximity of the project to nearby residential units, temporary construction-related noise associated with the Heritage Ridge Residential Project was found to result in a significant and unavoidable impact. All reasonable and appropriate mitigation measures are required to reduce construction-related noise to the maximum extent feasible. Because Mitigation Measures N-1(a) through N-1(f) are feasible and would reduce construction-related noise, they are appropriate for inclusion in the Draft EIR. Based on the comments, no additional changes to the document are warranted.



*Letter 3*

**COMMENTER:** Scott Morgan, Director; Governor's Office of Planning and Research, State Clearinghouse and Planning Unit

**DATE:** July 29, 2016

Response

The commenter notes that the City of Goleta has complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. This comment will be forwarded to the City of Goleta decision-makers for their consideration. Based on the comment, no changes to the document are warranted.



*Letter 4*

**COMMENTER:** Barbara Massy, Private Citizen

**DATE:** July 30, 2016

Response

The commenter states that trees permitted in the public right-of-way in the City of Goleta are limited to the trees listed in the City's Street Tree Planting List. The commenter states that the project includes trees that are not recommended on the Street Tree Planting List or are placed in improper locations. The commenter suggests that all project applicants who have developments that abut a public street be provided with the Street Tree Planting List and suggests that the Public Tree Advisory Commission review such development.

Figure 2-7 of the Draft EIR shows the Preliminary Landscape Plan for the project. The Preliminary Landscape Plan includes trees not listed in the City's Street Tree Planting List. As stated in Section 2.5.5 of the Draft EIR Project Description, the landscape plan has been designed to primarily include native or climate appropriate plants. Furthermore, the landscape plans are currently conceptual in nature, and it is unclear how many trees would be installed in the right of way. The specifics of the planting palette is one of the last items in the development review process to be determined by the appropriate decision-makers. Additionally, the final Landscape Plan would be reviewed and finalized before project implementation and the City's Street Tree Planting List would be utilized as applicable. This comment, including the City's Street Tree Planting List, will be forwarded to the City of Goleta decision-makers for their consideration.



Letter 5

**COMMENTER:** Carly Barham, Air Quality Specialist, Santa Barbara Air Pollution Control District (SBAPCD)

**DATE:** July 26, 2016

Response 5.1

The commenter summarizes the project and recommends against siting sensitive receptors within 500 feet of a freeway. The commenter recommends designing the project to maximize the distance between the roadway and sensitive receptors. The commenter also recommends that the Draft EIR require the following mitigation: (1) locate air intake at the non-roadway facing sides of buildings, (2) ensure that windows nearest the roadway do not open, (3) install mechanical ventilation systems with fresh air filtration, (4) construct a physical barrier between roadway source and receptors, such as a sound wall or vegetative planting.

Approximately half of the Project site is located within 500 feet of U.S. 101, and the Draft EIR included an analysis of the potential health risk impacts at future residential receptors on the Project site under Impact AQ-4 in Section 4.2, *Air Quality*. Subsequent to public circulation of the Draft EIR, impacts of the environment on a project (as opposed to impacts of a project on the environment) were found to be beyond the scope of required CEQA review (*Ballona Wetlands Land Trust v. City of Los Angeles* (2011) 201 Cal.App.4th 455, 473 (*Ballona*)). The California Supreme Court has held that “CEQA does not generally require an agency to consider the effects of existing environmental conditions on a Proposed Project’s future users or residents.” (*California Building Industry Assn. v. Bay Area Air Quality Management Dist.* (2015) 62 Cal.4th 369, 392; see also *Mission Bay Alliance v. Office of Community Investment & Infrastructure* (2016) 6 Cal.App.5th 160, 197 [“identifying the effects on the project and its users of locating the project in a particular environmental setting is neither consistent with CEQA’s legislative purpose nor required by the CEQA statutes”], quoting *Ballona, supra*, 201 Cal.App.4th at p. 474.). Regardless, the Health Risk Assessment (HRA) was summarized in the Final EIR for informational purposes.

Regarding the commenter’s request for a physical barrier between roadway sources and receptors, as stated in Section 4.10 *Noise* in the Revised Draft EIR, noise barriers up to seven feet in height are required for patios and balconies for residential units that face U.S. 101 (buildings 4, 5, 6, 8 and 9) as a project-specific Condition of Approval. Draft EIR Mitigation Measure AQ-4 (Indoor Air Pollution) required installation of forced air mechanical ventilation with fresh air filtration on all residential units. In the Final EIR, this measure was revised to a condition of approval because it is no longer required for CEQA purposes. The condition of approval was revised to clarify consistency with the commenters recommended mitigation and include the components recommended by the commenter that were not already included in the measure. The condition of approval was revised to read as follows:

**“Indoor Air Pollution.** The mitigation actions listed below apply to all new residential units on the Project site:

- Forced air mechanical ventilation with fresh air filtration using filter screens on outside air intake ducts must be provided for all residential units proposed on the site. The filter screens must have a minimum MERV 13 rating, capable of removing at least 90% of the particulate matter including fine particulate



matter (PM<sub>2.5</sub> micron). Air intakes must be located on the side of the building facing away from U.S. 101 and windows facing U.S. 101 cannot be capable of opening unless warranted to comply with California Building Code requirements for emergency egress.

- For individual residential units with separate HVAC systems, a brochure notifying the future residents of the need for maintaining the filter screens and keeping windows closed to ensure adequate fresh air filtration must be prepared and provided at the time of lease signing. In addition, a notice of the diesel particulates risk hazard and the need for screen maintenance must be recorded in the property title and included with lease agreements.
- Install high efficiency ceiling fans.
- Windows and doors must be fully weatherproofed with caulking and weather-stripping that is rated to last at least 20 years.”

The recommendation against siting residences within 500 feet of U.S. 101 will be forwarded to the City of Goleta decision-makers for consideration.

#### Response 5.2

The commenter suggests that reference to the 2013 Clean Air Plan and growth forecasts from the 2007 Santa Barbara County Association of Governments (SBCAG) Regional Growth Forecast 2005-2040 should be corrected to the 2012 Regional Growth Forecast.

References to these documents were updated to the 2019 Ozone Plan and the 2019 Santa Barbara County Association of Governments (SBCAG) Regional Growth Forecast 2050 throughout Section 4.2, *Air Quality*, in the Revised Draft EIR.

#### Response 5.3

The commenter states that it is unclear why population generated by the project was not compared to SBCAG’s growth forecast for the year 2020 given that the project’s operational year most closely aligns with the 2020 forecast date. The commenter also notes that this would be consistent with the analysis recently completed for the Kenwood Village Project Draft EIR.

Impact AQ-1 of the Revised Draft EIR was revised to include analysis of the current SBCAG growth projections at the time of the Revised Draft EIR (2021). The analysis relied on the population growth assumptions of the 2019 Ozone Plan. The 2019 Ozone Plan is based on countywide population data provided by the California Department of Finance; however, the 2019 Ozone Plan also states that its growth projections are similar to that of the 2019 SBCAG Regional Growth Forecast 2050, in which assumptions about future land development patterns were used to generate future population and housing forecasts at both the city-level and countywide for Santa Barbara County.

#### Response 5.4

The commenter states that there is an incorrect reference to Table 4.2-5 in Impact AQ-2.

The table reference under Impact AQ-2 in Section 4.2, *Air Quality*, was corrected in the Revised Draft EIR.



#### Response 5.5

The commenter states that the HRA should be performed in accordance with the District Modeling Guidelines for Health Risk Assessments using the HARP 2 program, which includes early life exposures to toxic substances.

HARP 2 incorporates the early life exposure adjustments presented in OEHHA's 2015 *Air Toxics Hotspots Program Guidance Manual for Preparation of Health Risk Assessments* regardless of purported mechanism of action; whereas, HARP (version 1.4f) does not include the early life exposure adjustments. The USEPA guidance, *Supplemental Guidance for Assessing Susceptibility from Early-Life Exposure to Carcinogens*, (2005) recommends that adjustment factors should only be considered when carcinogens act "through the mutagenic mode of action." The USEPA has identified 19 compounds that elicit a mutagenic mode of action for carcinogenesis. None of the gaseous compounds considered in the HRA elicit a mutagenic mode of action; therefore, early life exposure adjustments were not considered in this analysis. For diesel particulates, polycyclic aromatic hydrocarbons (PAHs) and their derivatives, which are known to exhibit a mutagenic mode of action, comprise less than 1% of the exhaust particulate mass. To date, the USEPA reports that whole diesel engine exhaust has not been shown to elicit a mutagenic mode of action. Therefore, consistent with the guidance provided by USEPA, consideration of early life exposure adjustments is not necessary for the HRA and use of HARP (version 1.4f) to model health risk in the Revised Draft EIR is appropriate.

#### Response 5.6

The commenter states that the following sentence in the Draft EIR may downplay the HRA modeling results for the project and recommends removing it from the Draft EIR: "To provide context for this level of additional risk, the American Cancer Society (2007) reports that in the U.S., men have a one in two chance (0.5 probability) and women about one in three chance (0.3) probability of developing cancer during a lifetime, with nearly one in four deaths (0.23) in the U.S. attributed to cancer."

The Draft EIR includes existing background cancer risk estimates from the American Cancer Society in order to provide context to the public and decision makers. The statistics are not intended to downplay the results of the HRA, but instead to convey existing background risk levels to which the additional risk resulting from proximity to U.S. 101 would be added. The existing background cancer risks are included in the Revised Draft EIR for context purposes.

#### Response 5.7

The commenter states that proposed mitigation addresses indoor air but does not address outdoor exposure risk. The commenter also states that the Draft EIR does not include a calculation showing how mitigated health risk values were derived. As discussed in Response 5.1, the project-specific conditions of approval include a requirement for forced air mechanical ventilation with fresh air filtration on all residential units, which would reduce indoor air pollution but would not reduce outdoor toxic air contaminants. However, as the commenter points out, the mitigated cancer risk assumes continued exposure to outside air at the project site for a period of 2.3 hours daily, based on the USEPA's *Exposure Factors Handbook*. Implementation of the conditions of approval would directly reduce overall health risks from indoor exposure. Also as stated in Response 5.1, the Revised Draft EIR includes noise barriers at residential outdoor living spaces as a project-specific condition of approval. These barriers would reduce outdoor toxic air containments in residential outdoor spaces. The HRA, which is included as Appendix C



to the Draft EIR, has been revised to include the methodology and assumptions showing how mitigated health risk values were derived in the Appendix. This equation is shown below:

EF =	Exposure frequency in days per year	Factor	350
EFa =	Exp. Freq adjusted outside; only 2.3 hours/day outside		33.5
EFai =	Exp. Freq adjusted inside; 16.9 hours/day inside		246.5
FE =	Filter Efficiency		90%

$$\text{Equation} = \text{Mitigated Risk} = [\text{Unmitigated Risk}] / \text{EF} * \text{EFa} + (1 - \text{FE}) * ([\text{Unmitigated Risk}] / \text{EF} * \text{EFai})$$

### Response 5.8

The commenter re-states that forced air filtration only reduces indoor residential exposure to toxic air contaminants and requests that project design and/or mitigation measures be incorporated that address outdoor exposure risk.

As discussed in Response 5.7, the mitigated risk calculated in the HRA accounts for the overall exposure to toxic air contaminants in both the indoor and outdoor environment, based on indoor and outdoor activity rates from the USEPA's *Exposure Factors Handbook*. With the conditions of approval detailed in Response 5.1, which requires forced air mechanical ventilation with fresh air filtration on all residential units, overall health risks would be below the SBCAPCD recommended health risk criteria. Therefore, additional measures in outdoor areas are not necessary. Furthermore, the California Court of Appeal (2016) for the *California Building Industry Association v. BAAQMD* case held that "...CEQA cannot be used by a lead agency to require a developer or other agency to obtain an EIR or implement mitigation measures solely because the occupants or users of a new project would be subjected to the levels of emissions specified, an agency may do so voluntarily on its own project and may use the Receptor Thresholds for guidance." The project includes forced air mechanical ventilation with fresh air filtration and noise barriers as project-specific conditions of approval. The City of Goleta may consider additional features and measures but there is no requirement to include more beyond what is already proposed.

### Response 5.9

The commenter states that sustainable design features are not included in Section 2.0, *Project Description*.

Impact GHG-1 in Section 4.6, *Greenhouse Gas Emissions*, of the Revised Draft EIR was revised to remove the reference to Section 2, *Project Description*, and to specify the project's sustainable design features within the text of Impact GHG-1. Specifically, Impact GHG-1 of the Revised Draft EIR was revised as follows to address this comment:

"Project sustainable design features described in Appendix B based on applicant-provided information, would reduce GHG emissions associated with operational emissions. The sustainable design features associated with this project that have quantifiable reductions include:

- *Increased density of dwelling units to 19.1 units per acre;*
- *Increased transit accessibility, with the nearest station located 0.4 mile from the site;*
- *Integration of below market rate (affordable) housing, of 31 percent of proposed dwelling units;*



- *Improved pedestrian network by connecting the Project and surrounding neighborhoods with pedestrian facilities contiguous with the Project site; and*
- *Limited parking supply with a 2.2 percent reduction in total required spaces per the City zoning code.<sup>1</sup>*

#### Response 5.10

The commenter states that the City of Goleta Climate Action Plan is not a Qualified Greenhouse Gas Reduction Plan, as stated in the Draft EIR. Therefore, the commenter concludes that it is appropriate for the Draft EIR to rely only on the efficiency threshold and not consistency with the City's Climate Action Plan.

The commenter is correct that the City's Climate Action Plan (CAP) is not a Qualified GHG Reduction Strategy consistent with the CEQA Guidelines. As shown below, characterization of the CAP as a qualified GHG reduction strategy has been removed from Section 4.6, *Greenhouse Gas Emissions*, of the Draft EIR. Under Impact GHG-1, the Revised Draft EIR bases its determination of whether the project would generate greenhouse gas (GHG) emissions, either directly or indirectly, that may have a significant impact on the environment (Threshold 1) on a quantitative comparison of the project's GHG emissions to an efficiency threshold (2.7 metric tons of carbon dioxide equivalent per resident per year) derived from the City's local GHG inventory and not on consistency with the CAP. The Revised Draft EIR assesses the project's consistency with the City's CAP under Impact GHG-2, not for the purpose of tiering off the CAP under CEQA Guidelines Section 15183.5, but instead to determine whether the project would "conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases" (Threshold 2). Specifically, Section 4.6.1 of the Revised Draft EIR was revised as follows to address this comment:

"The CAP is a strategic document which outlines a framework to reduce community GHG emissions by 2020 and 2030 in a manner that meets the intent of the City of Goleta's General Plan Implementation Action CE-IA-5 (Conservation Element) and is supportive of AB 32 and Executive Order S-3-05. The CAP does not, however, include quantitative significance thresholds for land use development projects."

---

<sup>1</sup> After public circulation of the Revised Draft EIR, the parking supply was changed to include an approximately 6.6-percent reduction in parking supply below the City's zoning code requirements. Therefore, the emissions modeling for the Revised Draft EIR slightly overestimates mobile source GHG emissions by assuming that more parking would be provided than the project proposes.





Letter 6

**COMMENTER:** Steven M. Fort, Senior Planner, Suzanne Elledge Planning & Permitting Services, Inc.

**DATE:** August 1, 2016

Response 6.1

The commenter states that they represent the Project applicant and requests that their comments on the Draft EIR be addressed in the Final EIR. The commenter states that they do not believe their comments require recirculation of the Draft EIR, but state a concern about the number of Class I impacts identified in the Draft EIR compared to other recent projects in the City. The commenter outlines their arguments as to why they believe certain Class I impacts should be reduced, referring to the detailed comments provided in comments 6.2 through 6.25.

CEQA requires an analysis of an individual project's impact upon the environment based upon substantial evidence. The individual characteristics of any one project make a uniform analysis of all projects within a jurisdiction as to a particular impact inconsistent with CEQA. Whether or not a project has greater or fewer impacts in a particular category of concern, as compared to previously considered projects, has no bearing on the analysis required by CEQA. The specific analysis in each impact section of the Draft EIR provides the reasoning for the determination of any identified Class I impact. Please see the discussion under each impact of the Draft EIR and the detailed responses provided in Responses 6.2 through 6.25.

Response 6.2

The commenter refers to comments regarding the Draft EIR project description submitted by David Stone (refer to Letter 7). The commenter notes David Stone's comment recommending that the project description be revised to describe archaeological site CA-SBA-56 as a "low-density artifact scatter." Refer to Response 7.1.

Response 6.3

The commenter states that a reference in the Draft EIR Executive Summary to the *Wright v. Goleta Water District* case was incorrectly identified in the Draft EIR as regulating water supply for the Project. The commenter indicates that information in Appendix L of the Draft EIR includes the correct information. The reference in the Final EIR Executive Summary to the *Wright v. Goleta Water District* case was corrected to refer to the *Judgement Upon Arbitration Award*, Santa Barbara Superior Court Case Number 232281, as follows.

"Based upon the Judgement Upon Arbitration Award, Case Number 232281 filed in Santa Barbara Superior Court on February 26, 2002, the combined Willow Springs properties (Willow Springs I, Willow Springs II, and the Project) was granted allocation of a total of 100.89 AFY of potable water from the GWD (refer to Appendix J)."

#### Response 6.4

The commenter requested to include projects from the UC Santa Barbara Long Range Development Plan (LRDP) in the list of non-City projects near Goleta. The Related Projects list in the Revised Draft EIR was updated to reflect the list of recently approved, under construction, recently completed, currently planned, and pending projects in the area in 2021. This City of Goleta's list was dated January 4, 2021 and the County of Santa Barbara's list was dated January 28, 2021, and were the most up-to-date lists available at the time of the preparation of the Revised Draft EIR.

#### Response 6.5

The commenter states that the Draft EIR's analysis of impacts to scenic views is inconsistent with the City's approach on two recent projects: the Marriott Residence Inn and the Village at Los Carneros. While the Draft EIR finds that the Heritage Ridge project would have a Class I impact to scenic foothill and mountain views, the City found a Class II impact for the Marriott project and a Class III impact for the Village at Los Carneros project. Based on Figure 4.1-5 in the Draft EIR, the commenter states that 50% of existing foothill and mountain views would remain unobstructed and all ridge views would remain intact. Furthermore, the commenter believes that the following findings from the Marriott project would apply similarly to the Heritage Ridge Residential Project:

- Views of mountains would be maintained above the height of structures
- Distant views would not be fully obstructed
- The majority of the existing view across the designated view point is not impacted
- The general character of mountain views would be maintained

In addition, the commenter notes that the Village at Los Carneros EIR also assessed impacts on scenic views at the S. Los Carneros Road/Calle Koral intersection from the construction of three-story buildings, and determined that they would be Class III because existing views are already affected by landscaping and buildings. The commenter claims that the project's scenic impacts would be less than for the Marriott and Village at Los Carneros projects. The commenter also attaches exhibits comparing the project's photo simulations to those for the Marriott, Village at Los Carneros, and Westar projects.

The City considers impacts on scenic views on a project-by-project basis. It is important to note that each visual setting and project is unique in terms of the location and angle of photo simulations, massing of buildings, and setbacks. In response to potential impacts to designated scenic view corridors, the applicant has revised the project to reduce the height of Building 1, which would be located closest to Los Carneros Road, to two stories, rather than three stories as originally proposed. As revised, the buildings would barely rise above the existing horizon from the perspective of S. Los Carneros Road at Calle Koral looking northward, minimally obstructing scenic views of the foothills and mountains. Therefore, the finding in the Draft EIR that the project would result in a significant scenic impact has also been revised to reflect that the reduced building height would result in a less than significant scenic impact. The discussion of scenic corridors and scenic views in Section 4.1.1 has been revised in the Final EIR to clarify the distinction between City General Plan designated scenic corridors and scenic views and now reads as follows:

**“b. Scenic Corridors.** The California Department of Transportation (Caltrans) designates highways throughout California as scenic highways. For a highway to be declared as scenic, the government with jurisdiction over the abutting land must adopt a “scenic corridor protection program” that limits development, outdoor advertising, and earthmoving around the highway.



U.S. 101 is eligible for state designation as a scenic highway in the City and throughout Santa Barbara County. Additionally, the City's Visual and Historic Resources Element lists the following roadways near the Project site as local scenic corridors, which pass through, or provide visual access to, areas of high scenic value:

- *U.S. 101*
- *Los Carneros Road (between Cathedral Oaks and U.S. 101), including the Los Carneros U.S. 101 overpass*
- *Hollister Avenue*

Although the Project site itself does not contain any designated scenic corridors, it is located in the vicinity of the U.S. 101, Los Carneros Road, and Hollister Avenue scenic corridors. The centerline of U.S. 101 is approximately 300 feet north of the Project site. Hollister Avenue is located approximately 1,000 feet to the south of the Project site. Los Carneros Road runs adjacent to the western boundary of the Project site. However, the portion of Los Carneros Road designated as a scenic corridor begins approximately 300 feet north of the Project site at the U.S. 101 overpass and extends northward. These scenic view corridors in the vicinity of the Project site are designated and protected pursuant to Policies VH 2.1 through VH 2.3 and Figure 6.1 in the Goleta General Plan.

**Other Public Road View Corridors.** The Project site is fully visible from several other nearby public roads that are not designated scenic corridors. Calle Koral and Camino Vista provide direct views of the Project site, as does Aero Camino at its intersection with Camino Vista. Hollister Avenue, located approximately 1,000 feet south of the Project site, is designated in the Goleta General Plan as a "local scenic corridor" and provides a scenic northward view of the Santa Ynez Mountains. The Project site is minimally visible from Hollister Avenue, a scenic view corridor, due to intervening vegetation and residential, commercial, and business park development.

### **c. Scenic Views**

Views from Los Carneros Road Overpass of U.S. 101. As shown in Figure 4.1-3, the City designates scenic views in all directions from the Los Carneros Road overpass of U.S. 101 and scenic views in the northern direction from the Los Carneros/Calle Koral intersection. [...]

Views from the U.S. 101 Mainline. As a local scenic corridor throughout Goleta, U.S. 101 provides scenic views from the roadway to surrounding areas. In the vicinity of the Project site, the elevated southbound on/off-ramps at the freeway's interchange with Los Carneros Road and trees lining the UPRR ROW completely obstruct southward views of the Project site from U.S. 101. For drivers entering the U.S. 101 mainline via the southbound on-ramp from Los Carneros Road, the Project site is briefly visible to the south.

Views from Union Pacific Railroad (UPRR) Right-of-Way (ROW). Although the City's General Plan does not specifically identify any scenic views from the UPRR ROW, the 100-foot wide UPRR ROW abuts the Project site's northern property line. [...]

In addition, the impact statement and discussion of impacts to scenic corridors and scenic views under Impact AES-1 in Section 4.1, *Aesthetics/Visual Resources*, of the Draft EIR has been revised in the Final EIR to be consistent with these clarifications and now reads as follows:

**“Impact AES-1 The Project would convert an open and undeveloped property into a multi-family housing complex with two- and three-story buildings. The Project would not significantly obstruct views of scenic resources from any City-designated scenic view as a result of the project redesign to reduce the height of the building closest to the South Los Carneros/Calle Koral intersection from three stories to two stories. Therefore, impacts to scenic views would be Class III, less than significant [Threshold 1].**

The Project would convert a vacant 17.36 gross acre site into a multi-family housing complex. Three two-story apartment buildings would be located in the northwestern portion of the site. Four three-story apartment buildings would be located in the northeastern portions of the site. Three two- to three-story apartment buildings would be located in the southwest portion of the site. The building closest to Los Carneros Road, which was originally proposed to be three stories in height, was reduced to two stories in height in response to feedback from City staff regarding potential impacts to scenic views of the Santa Ynez Mountains from South Los Carneros Road. All buildings onsite would have a maximum height of 35 feet. As discussed in Section 4.9, *Land Use and Planning*, the 35-foot height is consistent with height limits as measured pursuant to the City’s Inland Zoning Ordinance.

Construction on the Project site would affect two designated Los Carneros Road scenic views. Figure 4.1-4 maps the locations of photo simulations from Los Carneros Road, with respect to the Project site. Figures 4.1-5, 4.1-6, and 4.1-7 present photo simulations for the Project at the scenic northward view from South Los Carneros Road near Calle Koral, the scenic southward view from the South Los Carneros Road overpass of U.S. 101, and a similar scenic southward view from South Los Carneros Road just south of the overpass. These figures compare to the proposed conditions with five years of growth in landscaping at each viewpoint. As shown in Figure 4.1-5, South Los Carneros Road near Calle Koral currently affords a view of the foothills and Santa Ynez Mountains, scenic resources that are partially obstructed by scrub vegetation and trees in the UPRR ROW and on the west side of South Los Carneros Road. The two-story buildings in the northwestern portion of the site and the two- and three-story buildings in the southwest portion of the site would barely rise above the existing horizon from this perspective, minimally obstructing northward scenic views of the foothills and mountains. As shown in Figure 4.1-6, the three story building included in the original project would have obstructed public scenic views of the bulk of mountains to the northeast from the perspective of northbound motorists, pedestrians, and bicyclists on South Los Carneros Road approaching Calle Koral Road. Therefore, the Project as redesigned would have a less than significant impact on the scenic view from South Los Carneros Road at Calle Koral looking northward to the foothills and Santa Ynez Mountains.

Views from the Los Carneros Road overpass to the south and southeast are designated scenic views. The open waters of the Pacific Ocean and Goleta’s shoreline/beaches are designated scenic resources. As shown in Figures 4.1-6 and 4.1-7, the southerly descent from the crest of the South Los Carneros Road overpass currently provides scenic views over the Project site toward the Pacific Ocean beyond Goleta Beach. Although the ocean is not visible in these figures’ photographs of current conditions, a slice of the Pacific Ocean is visible in the distance on

relatively clear days. The proposed conditions on Figure 4.1-6 show the view with the completed roadway project on South Los Carneros Road, showing a low-profile guardrail on the road's eastern edge. Both Figures 4.1-6 and 4.1-7 demonstrate that the proposed buildings on-site would rise nearly to the level of the horizon, but would not obstruct scenic views of the Pacific Ocean. Therefore, the Project would have a less than significant impact on views from the vantage point of the Los Carneros Road overpass.

As discussed in Section 4.1.1, Setting, the Project site is not visible from the U.S. 101 mainline, which the Visual and Historic Resources Element of the Goleta General Plan lists as a scenic view corridor which provides scenic views to surrounding areas. [...]

Currently, Hollister Avenue offers a designated scenic view of the Santa Ynez Mountains to the north. [...]

The Project would also alter public views of the site from Camino Vista, Calle Koral, and Aero Camino. Currently, the Project site affords partial northward views of the Santa Ynez Mountains, atop existing hills on-site, from the perspectives of Calle Koral and Camino Vista. The photo simulations in Figure 4.1-5 show that the proposed buildings would largely obstruct these northward views of the mountains. Because Aero Camino only offers limited mountainous views to the north and not across the Project site, the Project would not affect views from the local roadway. Although the Project would obstruct views from Camino Vista and Calle Koral, the Visual and Historic Resources Element of the Goleta General Plan does not recognize these roadways as scenic view corridors that provide scenic views. Therefore, changes to views from these local roadways would be less than significant impacts.

While the UPRR ROW does not provide any City-designated scenic views, it provides brief, unobstructed views across the Project site to the south. Based on information provided in the City of Goleta General Plan Noise Element 2006, daily rail operations include 12 freight trains with 3 occurring at night. A total of six passenger trains pass the Project site daily on Amtrak's Pacific Surfliner route (Amtrak, 2021). [...]

[...]

Overall, impacts to scenic views would be less than significant.

**Mitigation Measures.** Mitigation is not required because impacts would be less than significant.

**Residual Impact.** Impacts would be less than significant without mitigation.

[...]

**c. Cumulative Impacts.** Cumulative development in the City of Goleta and the Goleta vicinity (Highway 154 to Gaviota) would add 741 residential units and more than 782,000 square feet of commercial/retail space (refer to Tables 3-1 and 3-2 in Section 3.0, *Related Projects*) in and around Goleta. Additional development would be located on infill sites throughout the community, as well as large tracts of undeveloped open spaces along the area's urban perimeters. Although much of the new development would generally be of a type and intensity similar to existing urban uses, a perceptible transformation of the community through increased

urbanization would be apparent. In particular, the intensity of land use would increase in the vicinity of the Project site. Projects in the vicinity of the site that have been recently completed include hotels and various residential and business park developments.

However, the cumulative aesthetic impact from the project would be less than significant given the existing built-up environment around the site. The Project would result in a visual extension of existing residential neighborhoods and commercial areas. The areas in which cumulative development would occur have been predominantly identified in the General Plan as appropriate areas for growth. The Heritage Ridge Residential Project is the last development project to be constructed in the Central Hollister Corridor. The other cumulative projects identified in the 2006 General Plan (Cortona Apartments, The Village at Los Carneros, and Willow Springs II) have all been developed in the last 8 years. The Heritage Ridge Residential Project would complete the residential neighborhood envisioned by the General Plan. Therefore, cumulative development would not pose a significant change to the overall visual character of the City-and the Project would not have a considerable contribution to significant cumulative impacts.

Cumulative development on vacant and underutilized land in the Goleta area also could obstruct scenic views from U.S. 101, State Route 217, and public viewing areas within the City. However, implementation of policies to protect scenic views in the City's Visual and Historic Resources Element would reduce cumulative impacts to scenic views and key viewpoints to a less-than-significant level. Therefore, the Project would not have a significant contribution to cumulative impacts."

#### Response 6.6

The commenter states that the current proposed HVAC system is not compatible with Mitigation Measure AQ-4's requirement for MERV 13 filters because the units are heating only systems. The commenter suggests that rather than providing increased filtration on a recirculating heating only system, mitigation should require high efficiency ceiling fans so that occupants are comfortable indoors with windows closed.

As described in Response 5.1, Mitigation Measure AQ-4 is no longer required for CEQA purposes and is instead included as a project-specific condition of approval (Indoor Air Pollution). The condition of approval requires installation of forced air mechanical ventilation with fresh air filtration using MERV 13 rated filter screens, the locating of air intakes on the side of the building facing away from U.S. 101, and installation of inoperable windows facing U.S. 101 unless warranted to comply with California Building Code requirements for emergency egress. This condition of approval also requires that the diesel particulates risk hazard and the need for screen maintenance be disclosed in the lease and that notification be given to residents regarding maintaining filter screens and keeping windows closed to ensure adequate air filtration. Therefore, the project would be required to include a HVAC system with both heating and cooling to ensure that fresh air entering the units if windows and doors are open can be filtered to ensure the SBCAPCD recommended health risk criteria are not exceeded.

#### Response 6.7

The commenter notes an inconsistency in the timing requirements of Mitigation Measure BIO-2. The mitigation was revised in the Revised Draft EIR to address this inconsistency and indicate the timing as "before the City issues a Zoning Clearance." The measure in the Revised Draft EIR reads as follows:



**“BIO-2 Invasive Species Seeding and Landscaping.** Nonnative, invasive plant species cannot be included in any erosion control seed mixes and/or landscaping plans associated with the Project. The California Invasive Plant Inventory Database contains a list of nonnative, invasive plants (California Invasive Plant Council [Updated 2017] or its successor).

**Plan Requirements and Timing:** Before the City issues a Zoning Clearance, the applicant secure approval of a final landscape plan from the Design Review Board.

**Monitoring:** The Planning and Environmental Review Director, or designee, must verify compliance before the City issues a Zoning Clearance. Before the City issues a certificate of occupancy, the Planning and Environmental Review Director, or designee, must inspect landscape plantings features to ensure that they have been installed consistent with approved plans.”

#### Response 6.8

The commenter requests that the breeding bird surveys required by Mitigation Measures BIO-1 be required within one week before ground disturbance, rather than before the City issues a grading permit, for efficiency. The City concurs with the commenter’s reasoning, and this measure was clarified in the Revised Draft EIR in response to this comment to reads as follows:

**“BIO-1 Nesting Birds and Raptors.** To avoid construction impacts to nesting birds and raptors, vegetation removal and initial ground disturbance must occur outside the bird and raptor breeding season, which is typically February 1 through September 1 (January 1 through September 1 for some raptors), but can vary based on local and annual climatic conditions. If construction must begin within the breeding season, then not more than two weeks before ground disturbance and/or vegetation removal commences, a bird and raptor pre-construction survey must be conducted by a City-approved biologist within the disturbance footprint plus a 300-foot buffer, as feasible. If the Project is phased, a subsequent pre-construction nesting bird and raptor survey is required before each phase of construction within the Project site. If no raptor or other bird nests are observed no further mitigation is required.

Pre-construction nesting bird and raptor surveys must be conducted during the time of day when bird species are active and be of sufficient duration to reliably conclude presence/absence of nesting birds and raptors within the 300-foot buffer. A report of the nesting bird and raptor survey results, if applicable, must be submitted to the Planning and Environmental Review Director, or designee, for review and approval not more than one week before commencing ground disturbances.

If active nest of species protected by CFG Code 3503 or the MBTA Migratory Bird Treaty Act protected bird nests are found within 300 feet of the Project site, their locations must be flagged and then mapped onto an aerial photograph of the Project site at a scale no less than 1”=200’ and/or recorded with the use of a GPS unit. If active raptor nests are detected the map will include topographic lines, parcel boundaries, adjacent roads, known historical nests for protected nesting species, and known roosting or foraging areas, as required by Conservation Element Policy 8.3 of the



Goleta Community Plan / Coastal Land Use Plan. If feasible, the buffer must be 300 feet in compliance with Conservation Element Policy CE 8.4 of the Goleta General Plan/Coastal Land Use Plan. If the 300-foot buffer is infeasible, the City approved biologist may reduce the buffer distance as appropriate, dependent upon the species and the proposed work activities. If any active *non-raptor* bird nests are found, a suitable buffer area (varying from 25-300 feet), depending on the species, must be established by the City approved biologist. No ground disturbance can occur within the buffer until the City-approved biologist confirms that the breeding/nesting is completed and all the young have fledged. Alternately, a City approved biologist must monitor the active nest full-time during construction activities within the buffer to ensure Project activities are not indirectly impacting protected nesting birds and raptors.

**Plan Requirements and Timing:** Not more than one week before ground disturbances commence, including exporting of soil, the Planning and Environmental Review Director, or designee, must verify that construction and grading is occurring outside the nesting season, or that nesting bird and raptor surveys have been conducted, and buffer requirements specified above are in place (if applicable). This measure, and any buffer requirements, must be incorporated into the grading plans for the Project.

**Monitoring:** The Planning and Environmental Review Director, or designee, must verify compliance not more than one week before ground disturbances commence and conduct periodic site inspections to ensure compliance throughout the construction period.”

#### Response 6.9

The commenter states that Mitigation Measure BIO-4(c) is not necessary, because the site does not contain ESHA and a similar measure was not required for the nearby Village at Los Carneros Project.

This measure is consistent with recommendations in a technical study commissioned by the Project applicant (refer to Appendix D to the Draft EIR), and also addresses concerns over the effects of domestic predators on the on-site wildlife corridor that were raised by the California Department of Fish and Wildlife during the public review process for the Draft EIR (see Response 8.2). As such, no changes are warranted to the document regarding this matter.

#### Response 6.10

The commenter refers to comments regarding the Draft EIR cultural resources setting and impact analysis submitted by David Stone (refer to Letter 7). Refer to Responses 7.2-7.15.

#### Response 6.11

The commenter refers to recommendations made regarding the conclusions of Draft EIR Impact CR-2 submitted by David Stone (refer to Letter 7). The commenter notes that David Stone recommends revising Impact CR-2 (Cultural Heritage Value) to a Class 2 impact with implementation of mitigation measures. Refer to Response 7.14.





Response 6.12

The commenter refers to comments regarding the Draft EIR cultural resources cumulative impact analysis submitted by David Stone (refer to Letter 7). Refer to Response 7.15.

Response 6.13

The commenter states that the portion of Mitigation Measure GEO-1 that refers to geotechnical design considerations for areas inside the archaeological area would be more effective if herbicide spraying is completed prior to vegetation removal. The third bullet point related to herbicide spraying in areas inside the archaeological area in Mitigation GEO-1 has been reordered and reworded in the Final EIR to read as shown below:

**“GEO-1 Geotechnical Design Considerations.** The recommendations in the *Geotechnical Engineering Report* (Earth Systems Pacific, 2014) related to soil engineering within and outside of the Archaeological Area must be incorporated into the Project’s grading and building plans, as summarized here:

[...]

Areas inside the Archaeological Area, including the 50-foot Archaeological Buffer Zone:

- *Existing ground surface in the grading area inside of the archaeological area should be prepared for construction by removing the stockpile soils and all other existing fill soils down to the native soil surface*
- *Before removing vegetation, vegetation should be sprayed with topical herbicide per manufacturer's specifications approximately 60 days before implementing grading operations. The herbicide is more effective when applied to plant leaves for better absorption*
- *All vegetation, debris, and other deleterious material should be removed from the native soil surface by hand (can include brushing, raking, or the use of a power blower) to the degree practicable at the ground surface such that no soil disturbance occurs*
- *Root ball masses must be left in place to die”*

Response 6.14

The commenter states that the analysis related to a risk of upset from transporting hazardous materials on U.S. 101, UPRR, and proximal businesses included in Section 4.7, *Hazardous Materials/Risk of Upset*, of the Draft EIR is in violation of the California Supreme Court Ruling, *California Building Industry Association v. Bay Area Air Quality Management District* in that CEQA does not require analysis of how existing environmental conditions affect a project.

To provide background information on the case references by the commenter, the following language has been added to Section 4.7.2(a) of the Final EIR:

“In the *California Building Industry Association v. Bay Area Air Quality Management District* (CBIA v. BAAQMD; December 17, 2015, Case No. S213478) Supreme Court case, the Court unanimously concluded that agencies subject to CEQA generally are not required to analyze the impact of



existing environmental conditions on a project's future users or residents. However, when a proposed project risks "exacerbate" environmental hazards or conditions that already exist, an agency must analyze the potential impact of such hazards on future residents or users. Accordingly, the project was analyzed in conjunction with the CBIA v. BAAMQD ruling to the extent that the project results in hazards or risk of upset, or exacerbates environmental hazards or conditions that already exist."

The ruling cited in the comment does not require the Draft EIR to ignore the realities of how a project may be impacted by its surroundings if and when it is approved and implemented. Based on the location and nature of the Project, the City has determined that the potential for risk of upset impacts at the Project site present a less than significant physical environmental impact. Impact HAZ-1 in Section 4.7, *Hazardous Materials/Risk of Upset*, of the Draft EIR, which addresses the potential for the project to be exposed to a significant physical environmental impact from risk of upset conditions, has been revised in the Final EIR to reads as follows:

**"Impact HAZ-2 Implementation of the Project would place residential structures and persons in proximity to existing businesses that use, store, and transport hazardous chemicals, as well as transport of hazardous materials on the existing UPRR railroad tracks and U.S. 101. The Project would not increase risk of accident associated with chemical leaks and fire from nearby businesses, derailed trains, and truck accidents would be low; therefore, this impact would be Class III, less than significant [Threshold 2]."**

Proposed residential structures and future residents on the project site would be located in proximity to several types of facilities in which hazardous materials are used, stored, or transported namely: nearby businesses, the UPRR railroad tracks, and the U.S. 101 freeway. The Project would not result in an increase in the use, store, and transport hazardous chemicals associated with the nearby businesses, or in the transport of hazardous materials on the existing UPRR railroad tracks or U.S. 101. Therefore, the Project would not result in increased risk associated with accident release from these facilities. However, the Project may be exposed to increased risk from these existing activities near the Project site. Although not considered an impact under CEQA pursuant to the CBIA v. BAAQMD ruling, each type of facility, and the potential increase in risk associated with these facilities, is discussed below for informational purposes.

[...]

The laws and regulations in place mitigate the potential to the maximum extent feasible. In addition, in the event of an accident, the requirement for pre-planning and emergency response plans reduces the potential consequences of the accident. Therefore, while it is not possible to completely eliminate the potential for accidents, the probability for a future hazardous material release at any of the nearby facilities that store and use hazardous materials would be low; therefore, this impact would be less than significant.

[...]

Based on this analysis, the risk of derailment with or without hazardous material release is statistically low. The Goleta General Plan FEIR (3.7-2 Transport); identifies this potential impact as



significant with respect to rail traffic along the UPRR ROW, where the project site is located. The FEIR states that the potential impact “remains significant” and no feasible mitigation measures are available to reduce the level of significance. The City Council adopted a statement of overriding considerations with respect to this impact as part of its action in certifying the FEIR for the General Plan. However, the project site is designated for residential use under the adopted General Plan, and the Project would be consistent with the existing General Plan land use designation and zoning. Therefore, the Project would not increase exposure of residents to risk from transport of hazardous materials on the existing UPRR railroad tracks beyond levels already identified in the General Plan FEIR. As such, this impact would be less than significant.

[...]

Based on this analysis, the risk of exposure to upset conditions from U.S. 101 is statistically low. Nevertheless, an accident involving hazardous materials on U.S. 101 could impact the surrounding population. The General Plan FEIR (3.7-2 Transport) identifies this potential impact as significant with respect to trucking, particularly along the U.S. 101 corridor, where the project site is located. The FEIR states that the potential impact “remains significant” and no feasible mitigation measures are available to reduce the level of significance. The City Council adopted a statement of overriding consideration with respect to this impact as part of its action in certifying the FEIR for the General Plan. However, the Project site is designated for residential use under the adopted General Plan, and the Project would be consistent with the existing General Plan land use designation and zoning. Therefore, the Project would not increase exposure of residents to risk from transport of hazardous materials on U.S. 101 beyond levels already identified in the General Plan FEIR. As such, this impact would be less than significant.

#### *Risk of Upset Impact Summary*

Based on the above discussion, the potential for a hazardous material release from area businesses, U.S. 101, and the UPRR is low. The potential consequences of such a release could be catastrophic, resulting in injury or death to project site residents. However, the Project would not increase exposure of residents to risks associated with chemical leaks and fire from nearby businesses, derailed trains, and truck accidents beyond levels already anticipated in the General Plan FEIR. The Project also would be subject to conditions of approval, such as the following:

- *Developing a plan for evacuation procedures in the event of accident/release of hazardous materials for approval by the Director of Planning and Environmental Review or designee before of the City issues a building permit.*
- *Developing and providing leases for apartment units that provide notification of hazards associated with the Project’s location, including UPRR, US 101, and nearby businesses for approval by the City Attorney and by the Director of Planning and Environmental Review, or designee, before the City issues a building permit.*
- *Developing a notice to future property owners regarding the potential risks of upset to be reviewed and approved by the Director of Planning and Environmental Review and the City Attorney, and then recorded either as part of the Final Map or before of the City issues a building permit.*

These conditions would further avoid risk of upset in the Project vicinity. Therefore, this impact would be less than significant.



**Mitigation Measures.** Mitigation would not be required because no significant Project-specific impacts have been identified.

**Residual Impact.** Impacts would be less than significant without mitigation.

**c. Cumulative Impacts.** The General Plan Final EIR identifies a significant and unavoidable cumulative hazards and hazardous materials risk of upset/exposure impact resulting from the inherent risk associated with the transport of hazardous materials along major transportation routes (including U.S. 101, and the Union Pacific railroad tracks). Significant hazards identified in the General Plan Final EIR include the risk of a trucking or rail accident and subsequent release of hazardous materials.

The overall risk associated with the handling, storage, and transport of hazardous materials would be expected to increase following build-out of the General Plan as additional development is introduced in close proximity to major transportation routes and hazardous material users. The potential for exposure to hazards and hazardous materials as a result of an accidental release would be statistically low or very low. Therefore, while the cumulative risk of such exposure associated with the introduction of additional population in close proximity to U.S. 101, the UPRR railroad tracks, and businesses that store and use hazardous materials, is has been found to be significant and unavoidable in the General Plan FEIR, the Project's contribution to this impact would be less than significant (Class III)."

#### Response 6.15

The commenter states that the last sentence on page 213 of the Draft EIR should be revised to state that "post-development" calculations for the detention basin are included in Table 4.8-1 of the Draft EIR. The identified sentence in Section 4.8.1(a) of the Final EIR has been revised to read as follows:

"Post-development hydrographs for the 10-, 25-, 50-, and 100-year rainfall events were routed through the retention basin using the Santa Barbara County Flood Control Urban Hydrograph method (SBUH) and compared with the pre-development hydrographs. Pre- and post-development calculations routed through the retention basin are summarized in Table 4.8-1 (*Preliminary Hydraulic Report for North Willow Springs*, refer to Appendix G)."

The commenter also provides additional detail on the location of Tecolotito Creek, its confluence with Los Carneros Creek, and its relationship to the outlet of the retention basin.

It is acknowledged that Tecolotito Creek crosses under Hollister Avenue west of the outlet for the retention basin. No revisions to the Draft EIR are warranted in response to this comment.

#### Response 6.16

The commenter states that Willow Springs I should be added to the sentence on page 217 of the Draft EIR, which currently refers to Willow Springs II and III. The following sentence in Section 4.8.1(b) of the Draft EIR has been revised to include Willow Springs I, as follows:

"This permit was issued for stormwater runoff from the Willow Springs I, II, and III. (Willow Springs III is now known as Heritage Ridge.)"



Response 6.17

The commenter states that a reference on page 226 of the Draft EIR should read “95<sup>th</sup> percentile” rather than “85<sup>th</sup> percentile.”

The notation of stormwater runoff up to the 85<sup>th</sup> percentile in Impact HWQ-3 has been revised to read “95<sup>th</sup> percentile” as shown below. (It is noted that this notation occurred under HWQ-3, not HWQ-2 as stated in the comment.)

“By increasing the amount of impervious surface onsite by approximately 8.0 acres, the Project would be subject to the most stringent criteria under Post-Construction Requirements. Based on the proposed site design, the Project would meet the performance measure for water quality (treatment of stormwater runoff up to the 95<sup>th</sup> percentile).”

Response 6.18

The commenter states that the Project should not have been found to result in a Class I impact with regard to being inconsistent with Goleta General Plan Policy LU 1.8: New Development and Neighborhood Compatibility, based on the commenter’s previous argument that aesthetic impacts were not Class I impacts since the project does not impact a mountain view and other aesthetic impacts can be mitigated to a less than significant level. The commenter also states that the identified Class I land use impact with regard to mountain views is inconsistent with previous City determinations. The commenter compares the aesthetic impacts as they relate to Policies LU 1.8, VH 1.1, and VH 1.4 between the Westar project and the Heritage Ridge Residential Project. The commenter notes that both projects were found to have a Class I aesthetic impact, but that the Westar project was not found inconsistent with Policies LU 1.8, VH 1.1, and VH 1.4. See Response 6.5, which discusses revisions to the project that would reduce impacts to scenic views to a less than significant level.

In addition to the revisions to the project and the Draft EIR described in Response 6.5, Table 4.9-1 in the Draft EIR has been revised to describe the revised Project’s consistency with General Plan Policies LU 1.8 *New Development and Neighborhood Compatibility*, VH 1.1 *Scenic Resources*, VH 1.4 *Protection of Mountain and Foothill Views*, VH 2.2: *Preservation of Scenic Corridors*, VH 2.3: *Development Projects Along Scenic Corridors*, and VH 4.15: *Site-Specific Visual Assessments*. These General Plan Policies are also discussed in Section 4.1, *Aesthetics/Visual Resources*, of the Draft EIR. In addition, the impact discussion language in Impact LU-1 was revised to read as follows:

**“Impact LU-1 The Project would be consistent with applicable General Plan policies, accounting for mitigation included throughout this EIR. Impacts would be Class III, less than significant [Threshold 2].**

[...]



The Project would be consistent with the front and rear yard setbacks, parking design, distance between buildings, building coverage, height limit, open space and landscaping requirements of the City's zoning regulations. The total amount of required parking for the residential portion of the Project per the zoning code would be 542 spaces with 494 spaces provided. This results in a 48-space deficit for the residential uses. A Modification from parking requirements will not be required due to State Density Bonus Law parking reduction allowances which reduces the required parking for the residential uses to 455 spaces. As detailed in the Project Description, because the Project will provide approximately 31% of the total units for lower income residents, the Project qualifies for prescriptive parking rights under the State Density Bonus Law. Under the State Density Bonus Law, the zoning required parking for the Project is one space for studio units and two spaces for two- and three-bedroom units. By applying these parking rights to the proposed development, the Project would have a total surplus of 39 parking spaces for the residential uses.

[...]

As described in Table 4.9-1, the Project would be consistent with applicable City land use policies, with incorporation of mitigation included throughout this EIR. Based on the analysis for Impact LU-1, this impact would be Class III, less than significant.

**Mitigation Measures.** Mitigation would not be required as this impact would be less than significant.

**Residual Impact.** Impacts would be less than significant without mitigation.”

Finally, the commenter notes that aesthetic/view impacts can be overridden by the City's decision-makers if they determine that the benefits of the Project outweigh the unavoidable adverse impacts. The commenter also states that the identified Class I land use impacts resulting from the identified policy inconsistencies have the effect of “foreclosing” an override of these impacts because violations of the General Plan cannot be overridden. With the revisions described above and in Response 6.5, the project no longer results in significant and unavoidable impacts to scenic views or consistency with applicable General Plan policies. Therefore, the City's decision-makers need not determine that the benefits of the Project outweigh unavoidable adverse impacts related to scenic view or consistency with applicable General Plan policies in their findings for the project.

#### Response 6.19

The commenter states that the project is consistent with General Plan Policy VH 4.15: *Site-Specific Visual Assessment*, and includes photo simulations to supplement those included in the Draft EIR.

General Plan Policy VH 4.15 also addresses the need to demonstrate visual compatibility and impacts on scenic views. The purpose of the policy is to provide a tool to assist with the assessment of visual impacts and specifically states that the purpose is “to evaluate the visual effects” and “demonstrate visual compatibility and impacts.” Therefore, General Plan Policy VH 4.15 requires the City to make a determination on the visual effects of a project to determine whether there is a visual impact or compatibility issue. See Response 6.5, which discusses revisions to the project that would reduce impacts to scenic views to a less than significant level. In addition to the revisions to the project and the Draft EIR



described in Response 6.5, Table 4.9-1 in the Revised Draft EIR was revised to describe the revised Project's consistency with General Plan Policy VH 4.15: *Site-Specific Visual Assessments*, as follows:

<p><b>VH 4.15: Site-Specific Visual Assessments.</b> The use of story poles, physical or software-based models, photo-realistic visual simulations, perspectives, photographs, or other tools shall be required, when appropriate, to evaluate the visual effects of proposed development and demonstrate visual compatibility and impacts on scenic views.</p>	<p><b>Consistent.</b> As discussed in Section 4.1, <i>Aesthetics</i>, photo-realistic visual simulations show that the Project would create a less than significant impact on views of the Santa Ynez Mountains from South Los Carneros Road.</p>
---	---

Response 6.20

The commenter states that South Los Carneros Road is not designated as a Local Scenic Corridor, and as a result, an analysis of the Project's consistency with General Plan Policy VH 2.2 and VH 2.3 is not required. The discussion in Draft EIR Section 4.1.1 has been revised, as described in Response 6.5, to clarify the designation of "scenic corridors" and "scenic views" in the City of Goleta. The revisions to Section 4.1.1 include specification of City General Plan Figure 6-1 and policies VH 2.1 through 2.3 as they relate to scenic corridors. Also, see Table 4.9-1 for a detailed discussion of the Project's consistency with Policy VH 2.2 and VH 2.3, to protect and enhance public views from locations where scenic vistas can be enjoyed.

Response 6.21

The commenter summarizes comments on the noise analysis prepared by Jonathan V. Leech in a letter dated July 26, 2016 (Letter 2).

Please see Responses 2.1 through 2.6.

Response 6.22

The commenter summarizes comments on the noise analysis prepared by Jonathan V. Leech in a letter dated July 26, 2016 (Letter 2).

Please see Response 2.7.

Response 6.23

The commenter states that the applicant intends to make park improvements at the 2-acre neighborhood park and dedicate the land and improvements to the City, and that the applicant should receive credit for park fees based on those improvements.

The City acknowledges that the applicant intends to complete improvements at the 2-acre neighborhood park within the Project and will be requesting credit for those improvements against park related impact fees for the Project. The City has not yet made a determination regarding whether or not it will accept dedication of the 2-acre neighborhood park and associated improvements. The Project owner/developer will be required to pay its fair-share, or equivalent, of Quimby/park and recreation fees to offset the increase in parkland demand; however, the final amount of the impact fees would be determined by applicable law by the decision-makers at the time of project approval.



The commenter also requests an alternative analysis for determining the number of residents at the Project in the calculating of park fees.

The City has determined that the analysis used in the Draft EIR to determine the anticipated number of residents, which relies on the California Department of Finance per household density estimate of 2.76 residents per unit, is an acceptable and industry-accepted approach. This per unit estimate has been used consistently throughout the Draft EIR.

#### Response 6.24

The commenter states that the Draft EIR incorrectly uses 2.76 people per workforce unit in determining potential solid waste generation, referencing the City's *Environmental Thresholds and Guidelines Manual*, which uses 2.65 people per workforce unit.

The City agrees that 2.65 people per workforce unit is appropriate for use in the EIR. The analysis in the Revised Draft EIR was updated to utilize this rate to determine the solid waste generation for the Project. The following text in the Revised Draft EIR reflects this change:

#### **"Impact UTL-4 [...]**

As discussed in Section 4.14.3, Methodology and Significance Thresholds, the City's CEQA thresholds manual includes a formula to estimate solid waste generation from multi-family residential development. Using this formula (2.65 people/market-rate unit x 228 units x 0.95 tons/year) + (2.58 people/family affordable unit x 63 units x 0.95 tons/year) + (1.36 people/senior affordable unit x 41 units x 0.95 tons/year)], the Project would generate approximately 781 tons of solid waste per year."

#### Response 6.25

The commenter states that the required timing for preparing a Solid Waste Management Plan was not indicated in Mitigation Measure UTL-4 in Section 4.14, *Utilities and Service Systems*. As discussed in Response 6.24 above, the Impact UTL-4 has been revised to less than significant, and as a result, Mitigation Measure UTL-4 has been removed from the Draft EIR. No further revisions to the Draft EIR are required.



*Letter 7*

**COMMENTER:** David Stone, Cultural Resources Manager; Dudek

**DATE:** August 1, 2016

Response 7.1

The commenter states that the Draft EIR project description inaccurately describes the extent of protective fill placement, and recommends that the project description be revised to describe archaeological site CA-SBA-56 as a “low-density artifact scatter,” referring to the *Archaeological Resources Assessment* prepared by Dudek (May 2014). The commenter suggests that the Draft EIR should not include the phrase “sensitive portion.”

The phrase “sensitive portion” correctly describes the portion of the site that is to be capped and includes human remains, and is verbatim from Dudek’s assessment (Page 1, Paragraph 2, Line 5). Nevertheless, the labels of each site area within CA-SBA-56 used in Section 4.4, *Cultural Resources*, have been revised to more accurately characterize the nature of the site. The labels in the Revised Draft EIR were revised from the labels used in the *Archaeological Resources Assessment* as follows: the “Intermediate Artifact Scatter” has been revised to “Intermediate Midden Area,” the “Low Density Artifact Scatter” has been revised to “Northern Midden Area,” and the “Low-Lying Areas Surrounding the Knoll” have been revised to “Peripheral Areas.” These revisions were reflected throughout Section 4.4, *Cultural Resources*, and are noted in a footnote in Section 4.4.1 b., *Project Site Setting*. Section 2.0, *Project Description*, and read as follows in the Revised Draft EIR:

“Proposed development within the sensitive portion of the identified on-site archaeological site (CA-SBA-56 Northern Midden Area; refer to Section 4.4, *Cultural Resources*, for a detailed description of the Project site setting and on-site archaeological resources) would use protective fill soils to cap the existing cultural resource. To prevent disturbance of the soil at this location, existing vegetation within the boundary of the archaeological site would be removed by hand, remaining root balls and masses would be sprayed with a topical herbicide to ensure no further growth, and the resulting dead masses of vegetation would be left in place. A geotextile tensor fabric (Tensar BX1200 or equivalent) would be placed on top of the existing ground surface to reduce the force of compaction from overlying fill soils and redistribute the compaction load force over a wider area, thereby minimizing the disturbance of friable (brittle) cultural remains such as shellfish and animal bone. No remedial grading, subgrade preparation or scarification would occur prior to placement of the geotextile fabric. Then the Northern Midden Area would be covered in a minimum of two feet of protective fill soil, above native grades or existing grades (whichever is lower) to prevent direct impacts to archaeological resources. Fill soils would be spread from the outside in no greater than eight-inch lifts with rubber-tired equipment, such that equipment only operates on top of the fill soils.”

Response 7.2

The commenter recommends changes to the text of the first paragraph of the Section 4.4, *Cultural Resources*. The recommended changes were made in the Revised Draft EIR, as follows:



“This report considers an intensive Phase I archaeological ground surface survey in 1990 and subsequent subsurface Extended Phase I excavations in 1996 conducted within the Project site. Additional context is provided by the discussion of numerous archaeological investigations completed adjacent to the Project site: an original excavation in 1929, subsequent excavations in 1982, a Supplemental Phase 2 investigation in 1999, and a Phase 3 Data Recovery Mitigation program in 2014. The technical report is on file at the City of Goleta.”

### Response 7.3

The commenter recommends revisions to the text of Section 4.4.1, *Ethnographic Background*. The recommended changes were incorporated into the Revised Draft EIR, as follows:

“The slough was a navigable lagoon with waters over 11 feet deep at high tide in prehistoric times (Stone, 1992; Gamble 2008), and contained an abundance of marine resources including shellfish, fish, birds, and marine mammals.”

In addition, the following references were also added to Section 7.0, *References* of the Revised Draft EIR:

“Gamble, Lynn H. 2008. *The Chumash World at European Contact. Power, Trade, and Feasting Among Complex Hunter-Gatherers*. University of California Press.

[...]

Stone, David. 1982. *Sedimentation and Infilling of the Goleta Slough: a 1770 Reconstruction*. Paper presented at the Symposium of Holocene Climate and Archaeology of California Coast and Desert, San Diego State University.”

### Response 7.4

The commenter recommends revisions to the text of Section 4.4.1 b., *Project Site Setting*. The recommended changes were incorporated into the Revised Draft EIR, as follows.

“The Project site is located on a coastal alluvial plain adjacent to the ancestral Goleta Slough and below the foothills of the Santa Ynez Mountains, part of an east-west trending Transverse Range Province.”

### Response 7.5

The commenter recommends revisions to the text of Section 4.4.1 b., *Project Site Setting*, to clarify how the CA-SBA-56 archaeological site relates to the Project site. The recommended text revisions include additional background information and context for CA-SBA-56. The level of detail provided by the commenter is not required for understanding the layout of the Project site or the relationship of CA-SBA-56 to the Project area. Nevertheless, the Revised Draft EIR language was modified to help clarify this information, as follows:

“Archaeological Resources. The prehistoric archaeological site CA-SBA-56 was originally documented directly south of the Project area, within what is today the Willow Springs II site (Willow Springs Apartments). David Banks Rogers first recorded this archaeological area in 1929,



based on the excavation of 46 trenches, as a residential “midden” associated with a village site. This site was characterized by very dense deposits of shellfish, stone tools, and grinding stones, and fragments of a human skeleton. Beginning in the 1980s, various archaeological investigations within and around the known area were conducted mostly to define and refine the boundaries of CA-SBA-56 and to obtain enough archaeological data to determine its significance with respect to dates of occupation and function. These studies have resulted in refinements of site boundaries, now known to extend into the Project area, identification of areas of intact and/or disturbed or destroyed components, and confirmation that the midden deposits represent a multi-occupational site (at least two major periods of occupations and each spanning hundreds of years of use). Excavations conducted in 1982 (Gerstle and Serena, 1982) resulted in a determination that the main residential midden at CA-SBA-56 was eligible for listing on the National Register of Historic Places (NRHP). Because CA-SBA-56 has been deemed NRHP-eligible, it is also a significant archaeological resource pursuant to CEQA Guidelines Section 15064.5(a)(3).

Following removal of the fallow orchard on the Project site in the 1980s, archaeological monitoring of grading operations in 1989 identified a “low density artifact scatter” (hereafter referred to as the Northern Midden Area), along the ridgeline north of the main residential midden area at CA-SBA-56, and within the Project site. A human bone fragment was collected in this area and reburied outside of the Project site. In 1990, an intensive ground surface collection conducted by Science Applications International Corporation (SAIC) and the ISERA Group revealed chipped stone flakes, ground stone, hammerstones, shellfish, animal bone, and ochre within the Project site. Extended Phase 1 excavations conducted by SAIC and the ISERA Group in 1996 identified intact archaeological deposits between six and 24 inches below the ground surface on the Project site, consistent in nature with those that had been collected on the surface. In addition, these excavations revealed an intact human burial. Upon identification of the burial, excavations in the vicinity were halted and the burial remains undisturbed at the location of discovery in the southern portion of the Project site. Such human remains are protected by State law (see Codes Governing Human Remains, below).

The Extended Phase 1 excavations (SAIC and ISERA Group 1996) resulted in the extension of the CA-SBA-56 boundary northward along and beyond the elevated knoll in the Project site. The Northern Midden Area in CA-SBA-56 within the Project site constitutes a significant archaeological resource under the CEQA Guidelines. The boundary of the archaeological area and a 50-foot buffer have been fenced to ensure that no disturbance to the resource occurred during placement of stockpile soils on the Project site that occurred during a period from approximately 1998 to 2014. Cultural materials within the elevated knoll area have sufficient densities and varieties of prehistoric food and artifacts to address research questions about past Native American occupation of the area.

The 1996 Extended Phase 1 excavations also identified an “intermediate artifact scatter”, hereafter referred to as the Intermediate Midden Area, along the CA-SBA-56 ridgeline south of the Project Site. This area has moderate amounts of chipped stone flakes and low amounts of fragmented animal bone.”

### Response 7.6

The commenter states that the Draft EIR incorrectly indicates that the body of data from investigations at CA-SBA-56 has not been synthesized and provides two citations that synthesize these data. Section 4.4.1 b., *Project Site Setting*, of the Revised Draft EIR was revised to reflect this information, as follows:

“CA-SBA-56 has been subjected to a high level of testing and evaluation, resulting in a relatively large body of data. Synthesis of these investigation results have occurred in the Phase 3 Data Recovery Investigation for the Willow Springs II Project and in a forthcoming academic publication (Erlandson, et al. in press; Stone and Victorino, 2014).”

In addition, the following references were added to Section 7.0, *References* in the Revised Draft EIR:

“Erlandson, Jon, Thomas Rockwell, Todd J. Braje, David Stone, and Brent Leftwich ND. *CA-SBA-56: An “Oak Grove” and “Canalino” Site on Goleta Lagoon, California*. In Publication.

[...]

Stone, David, and Ken Victorino. 2014. *Final Phase 3 Data Recovery Program: CA-SBA-56, Willow Springs II, Goleta*. Prepared for The Towbes Group, January. Ms. Available at Central Coast Information Center, University of California, Santa Barbara.”

### Response 7.7

The commenter recommends adding additional relevant CEQA citations to Section 4.4.1 d., *Regulatory Setting*. Discussion of these citations was added to the text in the Revised Draft EIR, as follows:

“Section 15064.5(b)(3) of the CEQA guidelines state that if significant cultural resources are identified within a proposed project site, the lead agency is required to identify potentially feasible mitigation measures and ensure that these measures are enforceable through permit conditions. Preservation in place is the preferred mitigation for archaeological sites, which can be accomplished by capping or covering the site with sterile soil (PRC 21083.2 [b]; CEQA guidelines § 15126.4[b][3]).”

### Response 7.8

The commenter states that the Draft EIR should specify that placement of protective fill soils on top of geotextile fabric is only required to mitigate impacts within the “low density artifact scatter” (referred to as the Northern Midden Area; refer to Response 7.1) and 50-foot buffer within CA-SBA-56, and not the peripheral areas under Impact CR-1. The Revised Draft EIR text in Impact CR-1 was revised, as follows:

“Proposed grading activities on the Project site have been designed to avoid disturbance of the Northern Midden Area (refer to Section 2.5.3 of the *Project Description*), which includes human remains and is a significant archaeological resource pursuant to CEQA Guidelines Section 15064.5(a)(3). To prevent disturbance of the soil, existing vegetation within the boundary of the Northern Midden Area of CA-SBA-56 is proposed to be removed by hand, remaining root balls and masses would be sprayed with a topical herbicide to ensure no further growth, and the resulting dead masses of vegetation would be left in place. A geotextile tensor fabric (Tensor



BX1200 or equivalent) would be placed on top of the existing ground surface within the Northern Midden Area to reduce the force of compaction from overlying fill soils and redistribute the compaction load force over a wider area, thereby minimizing the disturbance of friable cultural remains such as shellfish and animal bone. No remedial grading, subgrade preparation, or scarification would occur prior to placement of the geotextile fabric. Then the Northern Midden Area and a 50-foot buffer would be covered in a minimum of two feet of protective fill soil to prevent direct impacts to archaeological resources. Fill soils would be spread from the outside in no greater than eight-inch lifts with rubber-tired equipment, such that equipment only operates on top of the fill soils. This protocol would follow the previously approved measures implemented in the protection of CA-SBA-56's Intermediate Midden Area resources within the Willow Springs II project.

The Project has also been designed to avoid physical disturbance of the Northern Midden Area. The two-acre park is proposed to be placed above the Northern Midden Area. The park improvements, which include landscaping, irrigation, a decomposed granite trail, a permeable concrete parking area, a picnic area, and a lodgepole perimeter fence, would be placed on top of fill soils and would not require disturbance of the existing ground surface. All proposed residential buildings and drainage improvements would be placed outside of the Northern Midden Area. Therefore, the Project would not have direct impacts on significant archaeological resources at the Northern Midden Area."

#### Response 7.9

The commenter states that Mitigation Measures CR-1(a) is properly defined. However, the commenter recommends revisions to the language of Mitigation Measures CR-1(a) to refer to the City of Goleta Cultural Resource Guidelines. Mitigation Measure CR-1(a) was revised in the Revised Draft EIR as follows to incorporate some of the commenter's recommendations. Revisions that were stylistic in nature and/or did not change the meaning or intent of Mitigation Measure CR-1(a) were not incorporated.

**"CR-1(a) Limited Phase 3 Data Recovery.** The applicant must provide a Phase 3 Data Recovery Program Plan developed by a City-approved archaeologist for excavations at the Northern Midden Area at CA-SBA-56.

**Plan Requirements:** The Phase 3 plan must be prepared in accordance with the City of Goleta's *Cultural Resources Guidelines (1993)*, Open Space Element Policy 8.5, the California Office of Historic Preservation's (1990) *Archaeological Resource Management Reports (ARMR): Recommended Contents and Format*, and Public Resources Code § 21083.2 and CEQA Guidelines § 15126.4(b). The plan must include:

[...]

The Phase 3 must specify that a local Chumash Native American consultant must be retained by the applicant to observe all excavation activity associated with the Program. The consultant must maintain daily notes and documentation necessary, and provide the observation notes and documentation to all interested Chumash representatives who request to be informed of the Phase 3 excavation progress.

**Timing:** A Phase 3 research design prepared pursuant to City of Goleta’s *Cultural Resources Guidelines*, and a copy of a contract (including a detailed scope of work) between the applicant and a City-approved archaeologist and Chumash Native American consultant for the Phase 3 program, and the subsequent draft and final Phase 3 report, must be reviewed and approved by the City and City-retained archaeologist (funded by the applicant) before recordation of the final map. Upon completion of the Phase 3 study and all contact requirements, the applicant must notify the City in writing of the completed efforts in a bond acceptable to the City. This includes the completion of the curation of items collected during the Phase 3 mitigation. A summary letter outlining the successful completion of all mitigation excavations must be reviewed and approved by the City and City-retained archaeologist prior to issuance of any Zoning Clearance for grading within the archaeological resource area, including the placement of fill over the Northern Midden Area. All Phase 3 and curation requirements must be met prior to issuance of occupancy of the first residential building (either Affordable or Market rate Housing units).

**Monitoring:** The Phase 3 Data Recovery Program must be submitted for approval by the City and City-approved archaeologist before the applicant records a final map. City staff and the City-retained archaeologist must periodically site inspect to verify completion of the Phase 3 field work and review and approve the summary letter outlining the completion of excavations prior to issuance of Zoning Clearance for grading within the archaeological resource area. Curation may be completed after the issuance of the Zoning Clearance, as long as the Phase 3 excavations have been completed and verified by the City and City-retained archaeologist. The City-retained archaeologist must review and approve the draft and final Phase 3 reports prior to issuance of occupancy permit for the first residential building (either Affordable or Market rate Housing units). The applicant must provide the City with a letter from the UCSB Repository for Archaeological Collections indicating that all required materials have been accepted for curation prior to the release of the cultural resource bond.”

#### Response 7.10

The commenter states that clarification is required to ensure nexus of protecting the archaeologically sensitive portions of CA-SBA-56 that include only the “low density artifact scatter” (referred to as the Northern Midden Area; refer to Response 7.1). Mitigation Measure CR-1(b) was revised in the Revised Draft EIR, as follows:

**“CR-1(b) Surface Preparation and Fill Soils within CA-SBA-56.** Preparation of the ground surface and the placement of fill soils within the CA-SBA-56 boundary must be low impact and adhere to the following requirements:

- *Systematically collect all diagnostic artifacts on the ground surface;*



- *Remove all organic material from the archaeological site Northern Midden Area surface by hand (including brushing, raking, or use of power blower);*
- *Place a layer of Tensar geotextile grid over all archaeological site areas to receive fill;*
- *Use fill soils within 1 pH of that identified in the Northern Midden Area soils, as evaluated in the field prior to construction;*
- *Use a contrasting color and/or gradation for the lower six inches of fill soils, signaling to any future sub-surface activity (e.g., landscaping activity) that excavation shall not extend deeper; and*
- *Place a minimum of 12 inches additional fill material over the contrasting soil;*
- *Place the fill soils ahead of the loading equipment so that the machine does not have contact with the archaeological site surface.*
- *Moisten fill soils sufficient so that they are cohesive under the weight of the heavy equipment as the material is spread out over the archaeological site and buffer area.*

**Plan Requirements and Timing:** Before the City issues any grading permit, the Planning and Environmental Review Director or designee must approve a Construction Monitoring Plan prepared by the applicant and a City-approved archaeologist. Plan specifications for the monitoring must be printed on all plans submitted for grading, landscaping, and building permits. The applicant must enter into a contract with a City-approved archaeologist and an applicant selected Chumash Native American consultant(s) and must fund the provision of on-site archaeological/cultural resource monitoring during initial grading and excavation activities prior to any Zoning Clearance issuance for grading. The contract should be executed at least two weeks prior to the Zoning Clearance issuance for grading.

**Monitoring:** The Planning and Environmental Review Director, or designee, and a City-retained archaeologist must approve the Construction Monitoring Plan and ensure there is a valid contract with an archaeologist and a Chumash Native American consultant, and must conduct periodic field inspections to verify compliance during ground-disturbing activities.”

#### Response 7.11

The commenter summarizes the intent of Mitigation Measure CR-1(c), and recommends revisions changes to the text of the measure to clarify and ensure feasibility in monitoring the required restriction in the field. Mitigation Measure CR-1(c) was revised in the Revised Draft EIR as follows:

- “CR-1(c) Excavations within Northern Midden Area.** Excavations for all landscaping and recreational improvements within the Northern Midden Area cannot encroach within the initial six inches of contrasting soil placed above the geotextile grid and existing ground surface.



**Plan Requirements and Timing:** This requirement must be printed on all plans submitted for any Zoning Clearance for grading. The area where excavations would not encroach on the Northern Midden Area as specified herein must be clearly marked on the plans.

**Monitoring:** The Planning and Environmental Review Director, or designee, must conduct periodic field inspections to verify compliance during ground-disturbing activities.”

#### Response 7.12

The commenter states that Mitigation Measure CR-1(d) requires refinement to clarify that the mitigation actions include a pre-construction meeting, archaeological and Chumash monitoring of ground disturbance, and a protocol to follow in the event that unexpected resources are encountered during construction. The changes were accepted using the term Northern Midden Area instead of “low density artifact scatter” for the reasons noted in Response 7.1. Mitigation Measure CR-1(d) includes a requirement for a pre-construction meeting and archaeological Chumash monitoring of ground disturbance during construction. In addition, Mitigation Measure CR-1(d) was revised in the Revised Draft EIR as follows:

**“CR-1(d) Monitoring.** Before initiating any staging areas, vegetation clearing, or grading activity, the applicant and construction crew must meet on-site with City staff, a City-retained archaeologist, and local Chumash consultant(s) and present the procedures to be followed in the unlikely event that cultural artifacts are discovered during ground disturbances outside of the CA-SBA-56 Northern Midden Area.

A City-approved archaeologist and local Chumash consultant must monitor all ground-disturbing activities on the Project site, including surface vegetation removal and the Phase 3 Data Recovery Program. The monitor(s) must have the following authority:

- 1) The archaeological monitor(s) and Chumash consultant(s) must be on-site on a full-time basis during any earthmoving activities, including preparation of the area for capping, grading, trenching, vegetation removal, or other excavation activities. The monitors will continue their duties until it is determined through consultation with the applicant, City Planning and Environmental Review Director or designee, archaeological consultant, and Chumash consultant that monitoring is no longer warranted;
- 2) The monitor(s) may halt any activities impacting previously unidentified cultural resources and conduct an initial assessment of the resource(s). If cultural resources of potential importance are uncovered during construction, the following must occur per the Goleta General Plan Open Space Policy 8.6
  - a. The grading or excavation shall cease and the City shall be notified.





- b. A qualified archeologist shall prepare a report assessing the significance of the find and provide recommendations regarding appropriate disposition.
  - c. Disposition will be determined by the City in conjunction with the appropriate Chumash consultant.
- 3) If an artifact is identified as an isolated find, the monitor(s) must recover the artifact(s) with the appropriate locational data and include the item in the overall inventory for the site;
  - 4) If a feature or concentration of artifacts is identified, the monitor must halt activities in the vicinity of the find, notify the applicant and the Planning and Environmental Review Director or designee, and prepare a proposal for the assessment and treatment of the find(s). This treatment may range from additional study to avoidance, depending on the nature of the find(s);
  - 5) The monitor must prepare a comprehensive archaeological technical report documenting the results of the monitoring program and include an inventory of recovered artifacts, features, etc.;
  - 6) The monitor must prepare the artifact assemblage for curation with UCSB and include an inventory with the transfer of the collection; and
  - 7) The monitor must file an updated archaeological site survey record with the UCSB Central Coastal Information Center.

**Plan Requirements and Timing:** This requirement must be printed on all plans submitted for any Zoning Clearance, building, grading, or demolition permits. The applicant must enter into a contract with a City-approved archaeologist and applicant-selected Chumash consultant and must fund the provision of on-site archaeological/cultural resource monitoring during initial grading and excavation activities before issuance of a Zoning Clearance. Plan specifications for the monitoring must be printed on all plans submitted for grading, and building permits. The contract should be executed at least two weeks prior to the Zoning Clearance issuance for grading.

**Monitoring:** City Planning and Environmental Review Director or designee must conduct periodic field inspections to verify compliance during ground-disturbing activities.”

#### Response 7.13

The commenter requests that Impact CR-2 be revised to more precisely define the actions proposed to feasibly reduce impacts on the previously identified human burial to ensure proper classification of the potential impact to the heritage resource. Impact CR-2 was revised in the Revised Draft EIR as follows:

“As described above, an intact undisturbed human burial was identified within the Northern Midden Area during Extended Phase I archaeological testing in 1996. The human burial is located within the proposed native plant landscape open space. Protective fill would be placed above the burial to create undulating hummocks and the burial would be at least 25 feet from the nearest designated trail, to preclude future foot traffic over this particularly sensitive location.”



In addition, further revisions were made to Impact CR-2 in the Revised Draft EIR in response to additional comments received. Refer to Response 7.14.

#### Response 7.14

The commenter states that the Towbes Group met with the local Chumash community on July 25, 2016 to share Project design elements directed at preserving significant archaeological and heritage resources. The commenter notes that the meeting was attended by the Project design team, representatives of the Barbareño Band of Chumash Indians (Barbareño Band) and City of Goleta staff members. The commenter describes the discussions and recommendations that were made in the meeting, and states that response from the representatives of the Barbareño Band was favorable. The commenter notes that discussion with representatives of the Barbareño Band determined that mitigation measures could include ensuring that final landscape plans incorporate the appropriate treatment and plant species within the immediate vicinity of the burial so that the location is not conspicuously identified, and placing a commemorative plaque or comparative monument along the passive recreational trail, away from the actual burial location. The commenter states that the Draft EIR conclusion that impacts to the heritage value of CA-SBA-56 are not supported, and that the impacts to this resources should be revised to be found significant but mitigable with incorporation of additional mitigation.

The City met with the Barbareño Band on August 24, 2016 and December 1, 2016, and received a formal written response from the Barbareño Band dated February 22, 2017. In this letter, the Barbareño Band restated that CA-SBA-56 is highly important to the band and confirmed that the updated mitigation measures would reduce impacts to the heritage value of CA-SBA-56 to a less than significant level. Impact CR-2 has been revised to reflect this conclusion, as follows.

**“Impact CR-2 The Project would result in a permanent reduction in the heritage value associated with a known undisturbed human burial and tribal cultural resource site located at the Northern Midden Area. This would be a Class II, significant but mitigable impact [Thresholds 2 and 4].**

As described above, an intact undisturbed human burial was identified within the Northern Midden Area during Extended Phase I archaeological testing in 1996. The human burial is located within the proposed native plant landscape open space. Protective fill would be placed above the burial to create undulating hummocks and the burial would be at least 25 feet from the nearest designated trail, to preclude future foot traffic over this particularly sensitive location.

The heritage value of a resource is dependent on the values placed on the resource by culturally affiliated descendent communities. These values will vary based on the descendent community but may include the resource’s ability to expand traditional knowledge, contribute to religious practices, or represent a sacred location. Other values placed on a resource may include aesthetic value, artistic value, or scientific/research value. Burial sites are often considered sacred to traditional communities, including Native Americans. Descendent communities may view disturbances to a known burial site as diminishing the heritage value of the site.

As discussed in the Setting, the provisions of AB 52 requiring tribal consultation are not required for the Project because the NOP for the Project was distributed in April 2015, prior to AB 52 going into effect. However, the provisions of SB 18 are required for the project, and the City conducted consultation with Native American tribal representatives in 2016 and 2017 regarding CA-SBA-56.



On March 22, 2021, the City sent letters to the local Native American contacts identified by the NAHC to notify them of the Project design changes. The Coastal Band of the Chumash Nation did not respond to consultation requests sent by the City in 2016 and 2017 for the Project, but did consult on the adjacent Willow Springs II project and stated that CA-SBA-56 was important to their heritage. To date, the City has not received responses to Native American outreach efforts conducted in 2021. Nevertheless, during 2016 and 2017 consultation, representatives of the Barbareño Band stated that CA-SBA-56 is a significant resource, and that the proposed Mitigation Measures CR-1(a) through CR-1(f) and CR-2(a) and CR-2(b) would reduce impacts to a Class II, significant but mitigable, level. Therefore, based on these consultation efforts, the Project would result in a significant but mitigable impact to the heritage value of these tribal cultural resources.

**Mitigation Measures.** Mitigation Measures CR-1(a) through CR-1(f) and the measures below would reduce the Project's impact on the heritage value of this tribal cultural resource.

**CR-2(a) Landscape Plan Review.** The applicant must demonstrate that the Open Space Landscape Plan has been reviewed and approved by the local Chumash community to ensure appropriate treatment of heritage resources within the Northern Midden Area of CA-SBA-56.

**Plan Requirements and Timing.** This requirement must be printed on the Final Open Space Landscape Plan and approved by a city approved archaeologist. Confirmation that the local Chumash community was consulted and has approved the Final Open Space Landscape Plan must be submitted for any Zoning Clearance issued for grading.

**Monitoring.** The Planning and Environmental Review Director, or designee, must receive evidence of the local Chumash community's approval of the Final Open Space Landscape Plan to verify compliance with this measure.

**CR-2(b) Chumash Heritage Monument.** The applicant must incorporate a monument placed adjacent to the Open Space passive recreational trail to highlight the Chumash heritage of the Project area. A Chumash Heritage Monument Plan must be reviewed and approved by representatives of the local Chumash community.

**Plan Requirements and Timing.** This requirement must be printed on all plans submitted for any LUP for grading. Confirmation that the local Chumash community was consulted and has approved the Chumash Heritage Monument Plan must be submitted for any Zoning Clearance for grading. The monument will be installed prior to the condition of occupancy.

**Monitoring.** The Planning and Environmental Review Director, or designee, must receive evidence of the local Chumash community's approval of the Chumash Heritage Monument Plan to verify compliance with this measure.

**Residual Impact.** Because of the direct impacts to a Native American site with a known human burial, there is a potential to impact the heritage value of this known tribal cultural resource. Representatives of the Barbareño Band have agreed that Mitigation Measures CR-1(a) through

CR-1(f) and CR-2(a) and CR-2(b) would reduce impacts. Therefore, with implementation of Mitigation Measures CR-1(a) through CR-1(f) as well as the above mitigation measures, potential impacts to the heritage value of CA-SBA-56 would be reduced to a less than significant level.”

In addition, similar revisions for consistency were made to the Final EIR Executive Summary, and to Section 4.4.2 c. *Cumulative Impacts* in the Revised Draft EIR.

#### Response 7.15

The commenter states that the cumulative impact discussion in Section 4.4, *Cultural Resources*, should be revised to be consistent with CEQA Guidelines Section 15130(a)(3). The commenter acknowledges that the incremental impact of past-present, and reasonably probably projects on CA-SBA-56 is cumulatively considerable, but states that the incorporation of feasible mitigation measures and Project design components described in the Draft EIR reduce the Project’s contribution to cumulative cultural resource impacts to a less than significant level. However, the Project, in conjunction with previous projects, has cumulatively impacted the entirety of archaeological site CA-SBA-56. Though each project has incorporated mitigation measures and design features to reduce impacts to this resource, the cumulative total of these impacts to CA-SBA-56 remains significant and unavoidable.

Letter 8

**COMMENTER:** Betty Courtney, Environmental Program Manager I; California Department of Fish and Wildlife, South Coast Region

**DATE:** August 8, 2016

Response 8.1

The commenter summarizes CDFW's role in the CEQA process and the Project. The commenter summarizes the issues raised in their comments, which include potential impacts on fish and wildlife, potential impacts on the adjacent Los Carneros Wetlands, the adequacy of mitigation in the Draft EIR to address identified impacts to biological resources, and how the alternatives described in the Draft EIR would avoid, reduce, and minimize impacts to biological resources. Please see Responses 8.2 through 8.9.

Response 8.2

The commenter states that the Project site is an important habitat linkage between the Santa Ynez Mountain foothills and the Los Carneros Wetland, and that the Draft EIR should include a description of hydrologic changes downstream of the Project site. The commenter also states that the Project site is an important wildlife habitat corridor in the Goleta Slough basin. The commenter cites William H. Friedland's 2002 article entitled, "*Agriculture and Rurality: Beginning the Final Separation?*" as a source for this position, and indicates that this article describes the state of wildlife corridors in the Goleta Slough basin. Finally, the commenter states that the Draft EIR should describe the potential for impacts to the water table to cause pooling in areas where grading would re-deposit previously placed fill, including measures that will be taken in the event that dewatering becomes necessary.

The Draft EIR includes a discussion of potential downstream impacts in Section 4.3, *Biological Resources*, and Section 4.8, *Hydrology and Water Quality*. These analyses include hydrologic modeling, and conclude that the Project would not result in any increases in site runoff under 10, 25, 50, or 100-year storm events. As described in the Draft EIR, runoff volumes entering the Los Carneros Wetlands would not increase, and water quality would be maintained through compliance with applicable discharge requirements and implementation of Best Management Practices (BMPs) as required. Based on this information, the Project's effects on the Los Carneros Wetland were found to be less than significant.

The volume and frequency of flows anticipated from the Project site are presented in Table 4.8-1 in the Draft EIR. The location and design of BMPs would be determined during preparation of a Stormwater Pollution Prevention Plan (SWPP) for the Project and subsequent adherence to the Central Coast Regional Water Quality Control Board's (RWQCB) Post-Construction Requirements for projects discharging to the Municipal Separate Storm Sewer System (MS4). Any required energy dissipating devices would be installed outside jurisdictional waters and wetlands.

In addition, the article cited by the commenter, "*Agriculture and Rurality: Beginning the Final Separation?*" by William H. Friedland (2002), has been reviewed, but was found to contain no mention of Goleta Slough or any other local habitat area or wildlife corridor. Section 4.3, *Biological Resources*, of the Draft EIR and the associated technical study in Appendix D provide a detailed analysis of the current function of the Project site as a wildlife corridor, and conclude that small- and medium-sized wildlife traverse the site when moving between the Los Carneros Wetlands and the Santa Ynez Foothills. However, as explained in



the Draft EIR, the Project's effects on this corridor would be less than significant because the corridor's use has been shown to be limited to smaller wildlife species that are able to utilize narrower corridor widths, because the Project would retain a passable corridor for these species' use in the developed condition, and because feasible mitigation has been identified to reduce indirect impacts such as noise, nighttime illumination, and presence of domestic predators.

With regard to the commenter's statement that the Draft EIR should describe the potential for impacts to the water table to cause pooling in areas where grading would re-deposit previously placed fill, the Project site is located adjacent to recent and current development projects, including the Village at Los Carneros Project, which is immediately across Los Carneros Road from the Project site and currently under construction. Dewatering or groundwater pumping has not been necessary at these sites during construction. Accordingly, these activities are not expected or proposed at the Project site.

### Response 8.3

The commenter states that the Project would remove 17 acres of habitat overlapping important wildlife linkages, and would discontinue any functional wildlife habitat within the linkage by introducing barriers to wildlife movement. The commenter specifically identifies domestic predators as one such type of barrier. The commenter also includes two mitigation measures, which in the commenter's opinion, would reduce wildlife movement impacts to a less than significant level. The first entails preserving a wider corridor than is currently proposed (the commenter does not state how much wider), and conducting a comprehensive suite of surveys for special-status wildlife. The second mitigation measure recommended by the commenter requests that the Project's indirect impacts on biological resources on nearby public lands, open space, adjacent natural habitats, riparian ecosystems, and any designated and/or proposed or existing reserve lands, such as the Los Carneros Wetlands ESHA, be evaluated.

As described in Response 8.2, the Draft EIR included a thorough evaluation of the Project's impacts on the on-site wildlife linkage, and found the impact to be less than significant. Impacts of domestic predators were determined to be less than significant with incorporation of a Mitigation Measure BIO-4(c), which would require Domestic Pet Predation, Feline Disease, and Wildlife Corridor Education for residents of the Project once constructed.

As described in Section 4.3, *Biological Resources*, of the Draft EIR and summarized in Response 8.2, the wildlife corridor incorporated into the Project design would be adequate to facilitate the passage of animals that currently traverse the site, which have been documented as small- and medium-sized animals. The Project's impact on the on-site corridor would be less than significant, and provision of a wider corridor is not necessary to address an identified significant impact. The site has been the subject of numerous biological studies, including vegetation mapping, a wildlife movement study using cameras, a vascular plant survey, and three separate surveys for special status species, sensitive plant communities, and jurisdictional waters, and these surveys adequately described the existing biological conditions within the site.

In addition, the Project site is in a developed area and is not adjacent to significant natural areas or public trust lands. Indirect impacts to the Los Carneros Wetland, a riparian area to the south of the Project site, were evaluated in Section 4.3, *Biological Resources*, of the Draft EIR and were determined to be less than significant.

#### Response 8.4

The commenter states that the Project would remove coastal sage scrub ESHA, and that the Project site is located within a Stream Protection Area and adjacent to the Los Carneros Wetlands. The commenter states that impacts to these resources would be significant, and recommends mitigation measures that the commenter asserts would reduce the impact to a less than significant level. In addition, this comment includes several other assertions related to the Draft EIR:

- The commenter states that, “The CDFW observed a plant community comprised of quail bush (*Atriplex lentiformis*) and coyote brush (*Baccharis pilularis*). This plant community has been described as Lucian Coastal Sage Scrub, recognized by CDFW as a “sensitive and rare plant community.”
- The commenter states that “sensitive regionally and locally unique species and sensitive habitats” would be removed by the Project.
- The commenter recommends two mitigation measures to reduce impacts to ESHA to a less than significant level.
- The commenter states that vegetation communities with a State Rank of S-1, S-2, S-3, and S-4 should be considered sensitive for purposes of the CEQA analysis.

As described in Section 4.3, *Biological Resources*, of the Draft EIR and explained in greater detail in accompanying technical studies in Appendix D, the vegetation within the Project site does not exhibit the requisite characteristics to qualify as ESHA. These studies conclude that the habitat composition and structure does not support, nor does it have the ability to support, an especially rich and diverse plant and/or wildlife population associated with an ESHA. Instead, a disturbed coyote brush shrub with low biological diversity is present on the site and the studies conclude that this is not a sensitive plant community and does not meet the City’s definition of ESHA.

With regard to the commenter’s statement that the CDFW observed a plant community comprised of quail bush (*Atriplex lentiformis*) and coyote brush (*Baccharis pilularis*), which the commenter describes as “Lucian Coastal Sage Scrub,” “Lucian Coastal Sage Scrub” is not a defined plant community in any accepted vegetation classification system. Holland (1986) defined “Lucian Coastal Scrub;” however, this community is explicitly differentiated from sage scrub communities in Holland’s definition and description. In addition, of the 14 Lucian Coastal Scrub species identified by Holland (1986) only coyote brush is dominant on-site. The Draft EIR mapped the site vegetation in accordance with *A Manual of California Vegetation, Second Edition* (Sawyer et al. 2009), which is the classification system currently endorsed by CDFW. Classification under this system indicates that the coyote brush vegetation on-site is the *Baccaris pilularis* shrubland alliance, which is not a sensitive vegetation community. Based on this information, the site does not contain Lucian Coastal Scrub, and the on-site vegetation is not sensitive.

With regard to the commenter’s statement that “sensitive regionally and locally unique species and sensitive habitats” would be removed by the Project, as described in Section 4.3.1 of the Draft EIR, no such resources occur on the Project site (the commenter does not specify which species they believe may be impacted).

With regard to Stream Protection Areas and wetland ESHA, Section 4.3.2 of the Draft EIR describes the presence of these off-site features adjacent to the Project site, and explains why the distance between these features and the proposed development (approximately 100 feet for the Stream Protection Area



and 80 feet for the Los Carneros Wetlands) is consistent with policies in the City's General Plan Conservation Element.

With regard to the commenter's recommended mitigation measures to reduce impacts to ESHA to a less than significant level, as described above, impacts to ESHA were correctly identified in the Draft EIR as less than significant, and mitigation is not required. It should be noted that one of the commenter's recommended mitigation measures calls for "habitat mapping at the alliance level." The vegetation map provided in Figure 4.3-1 of the Draft EIR includes this information.

With regard to the comment that vegetation communities with a State Rank of S-1, S-2, S-3, and S-4 should be considered sensitive for purposes of the CEQA analysis. The Sensitive Natural Communities List in the CNDDDB is not currently maintained and no new information has been added. As such, the CDFW maintains a List of Vegetation Alliances and Associations (California Department of Fish and Wildlife, 2010). According to the CDFW's Vegetation Program, Alliances with State ranks of S-1 through S-3 are considered to be imperiled, and thus, potentially of special concern/sensitive. The CDFW (2016) identifies communities with a State Rank of S-4 as "Apparently Secure," a No Threat ranking, which reinforces the conclusion that S-4 communities are not routinely considered or treated as sensitive. As described in Section 4.3.1(b) of the Draft EIR, one sensitive plant community was identified within the Project vicinity: Southern Coastal Salt Marsh, with a State Rank of S-2.1. However, this nearshore marine tidal habitat is not present on-site. Additionally, during 2015 surveys of the site, no sensitive plant communities were present, nor were any of the individual indicator species associated with the communities observed.

#### Response 8.5

The commenter asserts that the loss of function and value of wetlands has not been sufficiently mitigated and summarizes the California Fish and Game Commission's wetlands policy and mitigation guidance. The commenter also states that "cryobiotic [sic] crusts, indicative of wetlands, were observed onsite." The commenter does not provide any evidentiary support for this assertion.

As described in Section 4.3.1 of the Draft EIR and in the technical studies in Appendix D, the site has been investigated by multiple qualified biologists on numerous occasions, and has not been found to contain wetlands. The findings of the applicant's biologist regarding potential onsite wetlands were also independently reviewed by the City of Goleta's biological consultant (Rincon). As described in Responses 8.2, 8.3, and 8.4, the Project would not have a significant impact on the off-site Los Carneros Wetlands. A Stormwater Pollution Prevention Plan for the Project would be developed during the design phase, and would include all necessary BMPs to protect the quality of waters receiving stormwater runoff from the Project site. Further, adherence to the Central Coast RWQCB's Post-Construction Requirements for projects discharging to the MS4 would ensure that urban runoff from the proposed development is treated prior to entering receiving waters.

#### Response 8.6

The commenter states that the Project would contribute to a cumulatively significant impact on raptors, including white-tailed kites, through removal of raptor foraging habitat, and recommends preservation of intact foraging habitat to compensate for this impact.

Cumulative impacts on biological resources, including "loss of foraging habitat (grassland) for resident and migratory raptors" associated with development of the City in accordance with the General Plan were





evaluated under CEQA in the Programmatic General Plan FEIR (City of Goleta, 2006; SCH # 2005031151), and were found to be less than significant. This finding took into consideration the General Plan's policies for the conservation of open space and biological resources, including Policies CE-1 through CE-10, Policies OS-1 through OS-7, and Policies LU-1, LU-6, and LU-9. As discussed in the Draft EIR, the Project is consistent with the General Plan biological resource protection policies. Therefore, as identified in the Programmatic General Plan FEIR, cumulative biological resources impacts would be less than significant with implementation of the General Plan policies.

#### Response 8.7

The commenter states that the Draft EIR should provide discussion and mitigation to reduce cumulative impacts to biological resources to a less than significant level. The commenter also states that impacts related to zoning of areas for development projects, or other uses nearby or adjacent to natural areas, which may inadvertently contribute to wildlife-human interactions have not been addressed in the Draft EIR. Finally, the commenter states that the EIR should include mitigation measures for adverse Project-related impacts to sensitive plants, animals, and habitats, and that impacts should be avoided, minimized, and mitigated. The commenter also requests inclusion of a habitat restoration plan.

As described in Section 4.3.2 of the Draft EIR, and clarified in Response 8.6 above, the Project would not contribute considerably to cumulatively significant impacts on biological resources. The on-site vegetation types are common and widespread throughout the region, and the site does not support special-status plants or wildlife.

Although the Project site is adjacent to other developed residential properties in the vicinity, there is no known documentation or reports of problematic human-wildlife interactions. Accordingly, problematic interactions are not expected to occur upon Project implementation and are not identified as an impact in the Draft EIR. Implementation of Domestic Pet Predation, Feline Disease, and Wildlife Corridor Education for residents as required by Mitigation Measure BIO-4(c) would further reduce the potential for adverse human-wildlife interactions. The site's land use designations (General Plan Land Use and zoning) would not be changed by the proposed project.

As stated in Section 4.3, *Biological Resources*, of the Draft EIR, and clarified in Responses 8.1 through 8.6, the Project's impacts on biological resources would be less than significant with incorporation of the mitigation described in the Draft EIR. Because no substantial evidence suggesting that the Project would result in any significant impacts not identified in the Draft EIR has been provided, additional mitigation and incorporation of a habitat restoration plan are not warranted.

#### Response 8.8

The commenter notes that any special status species or natural communities identified during Project surveys should be reported to the California Natural Diversity Database (CNDDDB).

As noted in previous responses, no special status species or natural communities were identified during Project surveys. The commenter also notes that a CDFW filing fee would be required to be paid when the Notice of Determination for the Project EIR is filed by the Lead Agency. If the Project is approved, the City of Goleta will follow the applicable requirements for filing the NOD with the Santa Barbara County Clerk's Office and the State Clearinghouse at the time of project approval.



Response 8.9

The commenter states that the Draft EIR does not adequately disclose and mitigate impacts to biological resources, and requests that the Draft EIR be revised and recirculated. The basis for this comment lies in comments 8.1 through 8.6, which describe specific resources and issues for which that the commenter contends that the Draft EIR did not adequately disclose or mitigate impacts to biological resources. In addition, the commenter states that the Draft EIR does not provide alternatives that could avoid, reduce, or minimize impacts to a less than significant level with mitigation.

As discussed in Responses 8.1 through 8.6, the Draft EIR provided sufficient detail to inform decision-makers and the public as to the foreseeable impacts of the Project on biological resources, including necessary mitigation for those impacts found to be potentially significant. No substantial evidence suggesting that the Project would result in any significant impacts not identified in the Draft EIR has been provided. Consequently, additional analysis and mitigation is not warranted. Moreover, because none of the criteria in CEQA Guidelines §15088.5 for requiring recirculation of an EIR have been met, recirculation is not warranted based on this comment letter.

The range of alternatives examined in the Draft EIR were selected consistent with the CEQA requirement that the EIR “describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project” (CEQA Guidelines §15126.6). As described in Section 4.3, *Biological Resources*, of the Draft EIR, as well as in Responses 8.1 through 8.6, all potential impacts to biological resources evaluated in the Draft EIR were found to be mitigable to a less than significant level. As a result, the alternatives evaluated in the Draft EIR were developed to address the significant and unavoidable impacts identified elsewhere in the Draft EIR (refer to Section 4.4, *Cultural Resources*, Section 4.10, *Noise*, Section 4.14, *Utilities and Service Systems*, and Section 6.0, *Alternatives*).



*Letter 9*

**COMMENTER:** Sylvia Regalado, Barbara Lopez, and Sharon Ebel, Chairwoman and Councilmembers; Barbareño Band of Chumash Indians

**DATE:** Undated

Response 9.1

The commenter states that the Draft EIR uses the terms “Chumash observer,” “Chumash monitor,” “Chumash representative,” and “Chumash consultant,” and asks for clarification regarding the meaning of these terms. These terms are used in the Draft EIR to refer to the same role. For clarity, the Final EIR has been revised to use the term “Chumash consultant.”

Response 9.2

The commenter notes the role of the Barbareño Band of Chumash Indians (Barbareño Band) with regard to the determination of the potential heritage value of the archaeological resource CA-SBA-56, and requests clarification regarding the Draft EIR conclusions on this issue. Refer to Response 7.14. The language and conclusions of Impact CR-2 have been revised to incorporate input from the Barbareño Band. Refer to Response 7.14.

Response 9.3

The commenter requests clarification regarding the impact activity during surface preparation and how each activity would impact the site. The mitigation activities required under Mitigation Measure CR-1(b) are low-impact activities, as all vegetation would be removed by hand and soils would be placed ahead of any equipment, so no equipment would touch the site surface. For clarity, Mitigation Measure CR-1(b) was revised as follows in the Revised Draft EIR:

**“CR-1(b) Surface Preparation and Fill Soils within CA-SBA-56.** Preparation of the ground surface and the placement of fill soils within the CA-SBA-56 boundary must be low impact and adhere to the following requirements:”

In addition, further clarifying revisions were made to Mitigation Measure CR-1(b) in response to other comments received on the Draft EIR. Refer to Response 7.10.

Response 9.4

The commenter notes the conclusions of Impact CR-2 with regard to the intact burial, and requests that the Draft EIR include mitigation requiring that final landscape plans be reviewed and approved by the Barbareño Band, and that a boulder with a plaque be placed on the site. The commenter states that these measures would reduce the impact to the heritage value of the site. The language and conclusions of Impact CR-2 have been revised to incorporate input from the Barbareño Band. Refer to Response 7.14.



### Response 9.5

The commenter notes that the Barbareño Band is a separate group from the Coastal Band of the Chumash Nation (CBCN). The commenter notes that the Barbareño Band has attended meetings and corresponded with the Project applicant and the City regarding the ongoing drafts and designs of the Project. Section 4.4.1 c. *Native American Scoping*, in the Revised Draft EIR was revised to describe the participation of the Barbareño Band, as follows:

**“c. Native American Scoping.** Representatives of the Coastal Band of the Chumash Nation (CBCN) (members of the Chumash Native American Community) have been actively involved in past archaeological investigations at CA-SBA-56 and the Barbareño Band of Chumash Indians (Barbareño Band) has participated in meetings with the City and is actively involved with the current project. Along with other contemporary Chumash, the CBCN and Barbareño Band consider all prehistoric archaeological sites to be important heritage resources. Contemporary Chumash in many cases consider that the integrity or intactness of archaeological deposits does not affect their heritage significance. However, the heritage significance of a resource does not directly correlate to the archaeological significance of a resource. The City sent a certified letter on November 23, 2015 to Michael Cordero representing the Coastal Band of the Chumash Nation per their request pursuant to Senate Bill 18 (SB 18). The City made numerous attempts to arrange a meeting with the tribe. The City sent a letter on November 23, 2015, requesting the tribe respond within 30 days or they would assume the tribe was no longer interested in meeting with the City. The project applicant met with representatives of the Barbareño Band on July 25, 2016 to share Project design elements directed at preserving significant archaeological and heritage resources associated with CA-SBA-56. The City met with the Barbareño Band on August 24, 2016 and December 1, 2016, and received a formal written response from the Barbareño Band dated February 22, 2017. In their February 22, 2017 letter, the Barbareño Band clarified their position on points discussed in the July meeting and stated that the undisturbed burial at CA-SBA-56 holds historical, cultural, and spiritual significance but that the current proposed mitigation measures would reduce impacts to the site to less than significant (Class II).

In addition to consultation with Native American tribal representatives in 2016 and 2017, the City of Goleta sent letters to the local Native American contacts identified by the Native American Heritage Commission (NAHC) notifying them of the Project, as recently revised, on March 22, 2021. In the letter, the City requested that the tribes respond by April 15, 2021 if they would like an additional opportunity to consult on the revised Project. The City did not receive any requests for additional consultation. Additional information on the requirements of tribal consultation as it relates to the project is included in the Regulatory Setting and Impact Analysis below.”

### Response 9.6

The commenter notes the role of the Barbareño Band in protecting the sacred space and sacred land of their Chumash ancestors, and describes their vision for working with the City to lead to positive solutions concerning the impact that projects will have on their homeland. The commenter states that they have only recently been made aware of the Project, and that the concerns expressed in their letter are limited by the time constraints of the Draft EIR comment period. The commenter requests that they be included on the master distribution list for any projects that affect cultural resources, and that final plans be reviewed and approved by the Barbareño Band.



The Draft EIR mitigation requires a pre-construction meeting with local Chumash consultants and archaeological Chumash monitoring of ground disturbance during construction. Also refer to Responses 9.1 through 9.5. The commenter's concerns and requests will be forwarded to the City of Goleta decision-makers for their consideration.



*Letter 10*

**COMMENTER:** Scott Morgan, Director; Governor’s Office of Planning and Research, State Clearinghouse and Planning Unit

**DATE:** August 9, 2016

Response

The commenter notes receipt of comments from California Department of Fish and Wildlife (CDFW) after the close of the public review period. The commenter acknowledges that CEQA does not require lead agencies to respond to late comments, but request that CDFW’s comments be considered in preparation of the Final EIR and final action on the proposed project.

The comments received from CDFW have been included as Letter 8 and are addressed in the responses to Letter 8.



*Letter 11*

**COMMENTER:** Michael Towbes, The Towbes Group, Inc.

**DATE:** September 16, 2016

Response

The commenter states that on August 1, 2016, the Towbes Group submitted their comments on the Heritage Ridge Residential Project Draft EIR based on the comments received prior to that date. However, the commenter notes that the City received additional comment letters on the Draft EIR on or after August 1, 2016, from the Barbareno Band of Chumash Indians, the California Fish and Wildlife (CFW), and the Santa Barbara Air Pollution Control District (APCD), which they did not have the opportunity to respond to. Therefore, the commenter states that they are submitting additional responses to these subsequent comments. These letters are included herein as Letters 12, 13, and 14.

Refer to the responses to comments raised in Letters 12, 13, and 14.

*Letter 12*

**COMMENTER:** David Stone, Cultural Resources Manager; Dudek

**DATE:** September 9, 2016

Response 12.1

The commenter states that the comments in this letter elaborate on comments originally provided on August 1, 2016 (refer to Letter 7) and comments submitted by the Barbareño Band of Chumash Indians (Barbareño Band) (refer to Letter 9). The commenter states that Impact CR-2 is appropriate characterized as significant but mitigable with incorporation of the Draft EIR mitigation.

Refer to Responses 7.1 through 7.15, Responses 9.1 through 9.6, and Responses 12.2 through 12.4.

Response 12.2

The commenter summarizes the comments from the Barbareño Band (Letter 9), and states that these comments are the most relevant comments from local Chumash descendants to determining the potential heritage impacts of the Project.

Refer to Responses 9.1 through 9.6, which address the comments received from the Barbareño Band and describe the Native American consultation efforts completed on the part of the City.

Response 12.3

The commenter refers to comments provided by the Barbareño Band which request clarification regarding to the proposed surface preparation and placement of fill soils within the “low density artifact scatter” of CA-SBA-56 (referred to as the Northern Midden Area; refer to Response 7.1). The commenter notes that they have previously provided language that they believe clarifies the text of the Draft EIR relative to this issue. The commenter also notes that they previously requested that the Draft EIR be revised to clarify the fact that all proposed soil disturbances within the CA-SBA-56 “low density artifact scatter” would be limited to fill soils placed on top of the significant cultural deposit.

Refer to Response 9.3, which addresses the original comments provided by the Barbareño Band. Refer to Responses 7.8 and 7.11, which address the original comments provided by David Stone.

Response 12.4

The commenter refers to comments provided by the Barbareño Band which explain the manner in which construction activities have the potential to significantly impact the heritage value of the “low density artifact scatter” of CA-SBA-56 (referred to as the Northern Midden Area; refer to Response 7.1). The commenter notes that they previously described the concerns of the Barbareño Band in their comments, and recommended additional mitigation to address their concerns.

Refer to Response 9.4, which addresses the original comments provided by the Barbareño Band. Refer to Response 7.14, which addresses the original comments provided by David Stone.





*Letter 13*

**COMMENTER:** David Stone, Senior Environmental Project Manager; Dudek

**DATE:** September, 2016

Response 13.1

The commenter refers to the SBCAPCD comment letter (Letter 5), which references CARB's *Air Quality and Land Use Handbook: A Community Health Perspective* (CARB 2005), and CARB's recommendation to "retain a distance of 500 feet or greater between the sensitive receptors and the freeway." The commenter states that this concern has been consistently raised by the SBCAPCD during the review of proposed residential projects located within the vicinity of U.S. 101, though such projects have been consistent with land uses adopted in the 2006 Goleta Community Plan and Coastal Land Use Plan. The commenter notes that the City of Goleta has acknowledged and addressed these concerns for other projects approved within the City. The commenter notes that in the Heritage Ridge Draft EIR includes an analysis of the potential health risks associated with developing new sensitive land uses within 500 feet of U.S. 101, and concludes that this impact would be less than significant with the incorporation of required mitigation.

The original comment from SBCAPCD referenced by the commenter is addressed in Response 5.1.

Response 13.2

The commenter states that the SBCAPCD comment letter (Letter 5) notes that the Kenwood Village Project Draft EIR explains that the City of Goleta 2015 population of 30,765 already exceeds the Santa Barbara County of Associated Governments Year 2020 population projection of 29,954, and that any proposed project within the City of Goleta, including the Kenwood Village and Heritage Ridge Projects, has the potential to exceed the SBCAG 2020 population projection. The commenter notes that the Project would incorporate amenities that would contribute to the CAP strategy to reduce mobile emissions of ozone precursor pollutants (NO<sub>x</sub> and ROC) and to achieve attainment of the State 1-hour ozone standard. The commenter also notes that the Heritage Ridge project would not generate vehicular emissions that would exceed the SBCAPCD mobile significance thresholds for ROC or NO<sub>x</sub> of 25 pounds per day, the combined area and vehicle emissions of 240 pounds per day for ROC and NO<sub>x</sub>, or the SBCAPCD significance threshold of 80 pounds per day for PM<sub>10</sub>. The commenter concludes by stating that the Project, would be consistent with planning efforts to reduce County-wide VMT, and Project-related emissions would not substantially interfere with the APCD's efforts to achieve attainment with the 1-hour ozone standard.

The original comment from SBCAPCD referenced by the commenter is addressed in Responses 5.2 and 5.3.

Response 13.3

The commenter states that the APCD comment letter (Letter 5) questions the extent of outdoor air quality exposure risk, stating that Mitigation Measure AQ-4 provides for forced air ventilation filter screens and does not require measures for outdoor living areas. The commenter notes that the Draft EIR analysis relies on federal Environmental Protection Agency (EPA) activity factors that identify average residential exterior exposure, and that the Draft EIR analysis of air quality exposure risk is based on 30-year exposure.



The commenter provides information regarding the average occupancy of market rate/workforce and senior housing, and indicates that these averages are lower than the 30-year exposure duration used for the Draft EIR analysis. The commenter notes that traffic on U.S. 101 in the vicinity of the Project site is lower than the CARB's 100,000 vehicles/day recommended sensitive land use siting limit for urban roads. For these reasons, the commenter concludes that the Draft EIR already properly determined that impacts associated with air quality exposure risk have been feasibly mitigated to less than significant.

The original comment from SBCAPCD referenced by the commenter is addressed in Responses 5.7 and 5.8.

#### Response 13.4

The commenter provides a summary of project design features include in the Heritage Ridge project, including the amenities that would reduce vehicle miles traveled. The commenter requests that the provided list be included in the Final EIR project description.

Refer to Response 5.9.

#### Response 13.5

The commenter notes that the Draft EIR analysis relies GHG thresholds adopted by the San Luis Obispo Air Pollution Control District (SLOAPCD), and that these thresholds are an appropriate comparison for the Project. The commenter notes that Impact GHG-1 in the Draft EIR concluded that combined annual GHG emissions from the Project would not exceed the applicable thresholds, and that this impact was determined to be less than significant. The commenter notes that, if consistency with the City of Goleta Climate Action Plan (CAP) is not considered appropriate for use as a qualitative GHG threshold of significance, the adopted SLOAPCD GHG thresholds are an appropriate comparison to locally adopted thresholds.

Refer to Responses 5.9 and 5.10.

*Letter 14*

**COMMENTER:** John H. Davis, Senior Ecologist; Dudek

**DATE:** September 15, 2016

Response 14.1

The commenter states that their letter is intended to provide supporting technical information related to biological resources in response to comments on the Draft EIR by the California Department of Fish and Wildlife (CDFW, refer to Letter 8). The commenter provides a list of project reports reviewed in preparing their comments.

Refer to Responses 14.2 through 14.7.

Response 14.2

The commenter summarizes comments made by CDFW regarding the status of the Project site as a habitat linkage between the Santa Ynez Mountain foothills and the Los Carneros Wetland and as a wildlife corridor in the Goleta Slough basin, and potential hydrologic changes downstream of the Project site. The commenter refers to information provided in their Comment 14.3 regarding wildlife on the Project site and in the vicinity, and provides information regarding runoff from the Project site and applicable stormwater requirements.

The original comment from CDFW referenced by the commenter is addressed in Response 8.3.

Response 14.3

The commenter summarizes Comment 8.3, which addresses the status of the Project site as a habitat linkage between the Santa Ynez Mountain foothills and the Los Carneros Wetland and as a wildlife corridor in the Goleta Slough basin. The commenter describes the potential for various species to occur on the site, and refers to the analysis in Section 4.3, *Biological Resources*, and the *Wildlife Corridor Analysis for the Heritage Ridge Project* (refer to Appendix D). The commenter describes project components that would reduce impacts to wildlife, including the wildlife collection included in the proposed Preliminary Landscape Plan and sound walls that would reduce noise impacts on biological resources. The commenter also describes Mitigation Measures BIO-4(a), BIO-4(b), and BIO-4(c) from the Draft EIR, which are intended to reduce impacts to wildlife on the Project site. The commenter describes the Draft EIR evaluation of impacts to Los Carneros Creek and Los Carneros Wetland (refer to Section 4.3, *Biological Resources*).

The original comment from CDFW referenced by the commenter is addressed in Response 8.3.

Response 14.4

The commenter summarizes Comment 8.4, which addresses the Project's potential to remove coastal sage scrub ESHA, and the Project site's location within a Stream Protection Area and adjacent to the Los Carneros Wetlands. The commenter provides information regarding coastal sage scrub, as described in Section 4.3, *Biological Resources*, as well as the City's General Plan/Coastal Land Use Plan definition and



identified locations of coastal sage scrub ESHA. The commenter describes the timing of surveys conducted for the Draft EIR and for studies referenced in and appended to the Draft EIR.

The original comment from CDFW referenced by the commenter is addressed in Response 8.4.

#### Response 14.5

The commenter summarizes Comment 8.5, which addresses potential impacts to wetlands as a result of the Project. The commenter refers to the analysis of potential wetlands in Section 4.3, *Biological Resources*, and notes that Dudek biologists surveyed the site on August 29, 2016 and did not identify indicators of wetland hydrology. The commenter notes that potential impacts to surface drainage on the Project site was discussed in Impact HWQ-1 in Section 4.8, *Hydrology and Water Quality*, and that construction of the Project would require preparation of a detailed SWPPP.

The original comment from CDFW referenced by the commenter is addressed in Response 8.5.

#### Response 14.6

The commenter summarizes Comment 8.6, which addresses potential impacts to raptor foraging habitat and nesting bird habitat as a result of the Project. The commenter states that while-tailed kites have been observed foraging on the Project site, and that foraging habitat is not treated as ESHA in the City's General Plan. The commenter refers to the analysis of raptor foraging habitat and nesting bird habitat in Section 4.3, *Biological Resources*.

The original comment from CDFW referenced by the commenter is addressed in Response 8.6.

#### Response 14.7

The commenter summarizes Comment 8.7, which includes editorial comments and suggestions for the Draft EIR, including issues related to the evaluation of cumulative impacts, wildlife-human interactions, and the Draft EIR mitigation for potential adverse Project-related impacts to sensitive plants, animals, and habitats. The commenter states that the Project is unlikely to introduce new conflicts between wildlife and humans, and states that potential impacts related to wildlife-human interactions are addressed in earlier responses regarding wildlife movement, and refers to their earlier comments associated with this issue. The commenter notes that the Draft EIR includes Mitigation Measure BIO-2, which prohibits Project landscaping plans from including non-native, invasive plant species.

The original comment from CDFW referenced by the commenter is addressed in Response 8.7.

*This page intentionally left blank*

## 9.0 RESPONSES to COMMENTS on the REVISED DRAFT EIR

### 9.1 INTRODUCTION

As discussed in Section 8.1, a Revised Draft Environmental Impact Report (Revised Draft EIR) for the Heritage Ridge Residential Project was recirculated for a 45-day public review period on May 14, 2021 to June 28, 2021. The City of Goleta also held an Environmental Hearing Officer meeting on June 16, 2021 to receive verbal public comments on the Revised Draft EIR. In accordance with the California Environmental Quality Act (CEQA) Guidelines §15088, the City of Goleta reviewed the comments received on the Revised Draft EIR, and prepared written responses to the written comments received. Responses to written and oral comments made at the Environmental Hearing Officer public hearing were also prepared. This chapter includes responses to comments received on the Revised Draft EIR.

Each written comment that the City received is included in this Comments and Responses document. Responses to these comments were prepared to address the environmental concerns raised by the commenters and to indicate where and how the Revised Draft EIR was revised to address pertinent environmental issues. The comment letters were submitted by public agencies and private citizens or groups.

Any changes made to the text of the Revised Draft EIR correcting information, data or intent, other than minor typographical corrections or minor working changes, are noted in the Final EIR as changes from the Revised Draft EIR. The changes that occurred between the Revised Draft EIR and Final EIR are shown in underline for text additions and ~~striketrough~~ for text deletions in the response to comments on the Revised Draft EIR in Chapter 9. Minor changes to project design that occurred after public circulation of the Revised Draft EIR are detailed in Section 8.2 of this Final EIR.

The focus of the responses to comments is the disposition of environmental issues that are raised in the comments, as specified by CEQA Guidelines §15088(c). Detailed responses are not provided to comments on the merits of the proposed Project. However, when a comment is not directed to an environmental issue, the response indicates that the comment has been noted and forwarded to the appropriate decision-makers for review and consideration.

### 9.2 MASTER RESPONSE TO COMMENTS ON THE REVISED DRAFT EIR

This section contains master responses to address comments that were raised repeatedly and to provide information in a comprehensive, easily-located discussion that clarifies and elaborates upon the analysis in the Revised Draft EIR. The master responses are:

- Master Response 1: Steam Protected Area
- Master Response 2: Coastal Sage Scrub Environmentally Sensitive Habitat Area
- Master Response 3: Sensitive Communities
- Master Response 4: Wildlife Movement
- Master Response 5: White-Tailed Kite
- Master Response 6: California Red-Legged Frog
- Master Response 7: Plant and Wildlife Surveys
- Master Response 8: Individual Trees
- Master Response 9: Range of Alternatives



### 9.2.1 Master Response 1: Stream Protected Area

As discussed in Section 4.3, Biological Resources, of the Revised Draft EIR, the Goleta General Plan/Coastal Land Use Plan (City of Goleta 2006) (“General Plan”) Policy CE 2.2 requires a buffer of 100 feet from a Streamside Protection Area (SPA) but also allows the City to adjust the 100-foot buffer to a minimum of 25 feet based on a site-specific assessment at the time of environmental review, 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.

The extent of the constrained Los Carneros Creek SPA riparian vegetation, north of the Project site between the railroad tracks and freeway, fluctuates depending on Union Pacific Railroad (UPRR)/California Department of Transportation (Caltrans) vegetation management practices, human habitation, seasonal and annual hydrological variation, and watershed characteristics (e.g., urban/agricultural run-off, wildfires). The SPA boundary and 100-foot buffer, shown in shown in Figure 4.3-2 of this Final EIR, has been revised since public review of the Revised Draft EIR to reflect the extent of the SPA riparian canopy representing the 2015 baseline when the Notice of Preparation (NOP) was published (April 6, 2015). The Final EIR SPA mapping is based on the *Analysis of ESHA Boundary and SPA Buffer Zone - Heritage Ridge Residential Project, Goleta, California* prepared by Watershed Environment October 13, 2021 (Appendix D).

As discussed in the Revised Draft EIR, the Project included a proposed soundwall and parking within the Los Carneros Creek 100-foot SPA buffer at the northeast corner of the project site. As a result, an SPA buffer reduction of up to 33 feet would be required to be approved by the City as part of the project approval process for the Project analyzed in the Revised Draft EIR. In response to public comments received on the Revised Draft EIR, the site plan was revised to reduce total parking, change the type of parking spaces, and increase open space in order to achieve a 100-foot buffer from the Los Carneros Creek SPA. As a result, the SPA buffer reduction request is no longer required. Because the project has been designed to meet the 100-foot setback requirement, no direct impacts would occur to the SPA or buffer.

As stated in Section 4.3, Biological Resources, of the Revised Draft EIR, the Project has the potential to result in indirect temporary construction and operational impacts to the riparian corridor associated with Los Carneros Creek north of the railroad tracks (between channelized sections under US 101 and the UPRR) and marginal aquatic habitat in channelized Los Carneros Creek, and eventually the Goleta Slough at the terminus of Los Carneros Creek. However, impacts to wetlands and waters would be less than significant with adherence to existing regulations (e.g., Stormwater Pollution Prevention Plan [SWPPP] and General Plan Policies 1.9(g) and CE 10). Mitigation Measure BIO-4(b) regulating the use of fertilizers, pesticides, and herbicides, applied for wildlife migration protection, would also protect streamside vegetation and the biotic quality of the stream. The proposed 8-foot-high sound wall at the edge of development footprint would further reduce indirect impacts from noise, runoff, and lighting. The City’s Environmental Thresholds and Guidelines Manual considers only a 50-foot intrusion into riparian habitats significant (Appendix A Habitat Specific Assessment Guidelines D. 2.2 c) (City of Goleta 2002). The proposed retaining wall and drainage system would reduce sedimentation during storm events compared to existing conditions. With implementation of the General Plan Policy CE 2.2 100-foot SPA buffer, the Project would not have a significant adverse effect on streamside vegetation or the stream’s biotic qualities and is consistent with General Plan Policy CE 2.2(2).

The Revised Draft EIR includes a discussion of potential downstream impacts in Section 4.3, Biological Resources, and Section 4.8, Hydrology and Water Quality. These analyses include hydrologic modeling and conclude that the Project would not result in any increases in site runoff under 10-, 25-, 50-, or 100-year storm



events. As described in the Revised Draft EIR, runoff volumes entering the Los Carneros Wetlands would not increase, and water quality would be maintained through compliance with applicable discharge requirements and implementation of best management practices (BMPs) as required. The volume and frequency of stormwater runoff anticipated from the Project site are presented in Table 4.8-1 in the Revised Draft EIR. The location and design of BMPs would be determined during preparation of a SWPPP for the Project and subsequent adherence to the Central Coast Regional Water Quality Control Board's (RWQCB) Post-Construction Requirements for projects discharging to the Municipal Separate Storm Sewer System (MS4). Any required energy dissipating devices would be installed outside of jurisdictional waters and wetlands. Based on this information, the Project's effects on the downstream areas including Los Carneros Wetland were found to be less than significant.

Section 4.3, Biological Resources, of the Final EIR has been revised as follows to reflect the redesign, Final EIR 2015 SPA mapping, and removal of the SPA buffer request and consistency with General Plan Policy CE 2.2:

Section 4.3, Page 4.3-1:

This section identifies biological resources present on the Project site and assesses the Project's impacts on those resources. The discussion of biological resources incorporates the results of 2015 and 2021 reconnaissance-level surveys of the Project site conducted by the City's EIR consultant (see Appendix D). The surveys updated the results of previous biological surveys of the site, including the *Technical Review of Coastal Sage Scrub Environmentally Sensitive Habitat Area for the North Willow Springs Project* (Dudek, 2014a, see Appendix D) and *Wildlife Corridor Analysis for the Heritage Ridge Project* (Dudek, 2014b, see Appendix D), ~~and *Heritage Ridge 100' Stream Protection Area Setback Reduction Request* (TK Consulting, Inc., 2020) incorporated herein by reference.~~<sup>1</sup> The 2015 and 2021 field reconnaissance surveys documented existing site conditions and the potential presence of sensitive biological resources, including sensitive plant and wildlife species, sensitive plant communities, jurisdictional waters and wetlands, and habitat for nesting birds. An *Analysis of ESHA Boundary and SPA Buffer Zone Environmentally Sensitive Habitat Biological Survey and Mapping* was prepared by Watershed Environmental Inc. in October 2021 and is included in Appendix D. An updated record search and reconnaissance survey were performed by Rincon on March 25 and 26, 2021, respectively, to verify the site conditions.

Section 4.3.1(b), Page 4.3-2:

Los Carneros Creek flows intermittently beginning approximately 100 ~~67~~ feet to the north of the Project footprint site, parallel to U.S. 101, and then into an open, concrete-lined channel 450 feet to the east of the Project footprint site (beyond Aero Camino).

Section 4.3.1(b), Page 4.3-3:

An *Analysis of ESHA Boundary and SPA Buffer Zone Environmentally Sensitive Habitat Biological Survey and Mapping* was also prepared in October 2021 ~~August 2020~~ by Watershed Environmental Inc., which included an updated 2015 baseline survey and mapping of the ESHA.

---

<sup>1</sup> During the development of the Willow Spring I and II projects located adjacent to the south, the Project site was previously referred to as "North Willow Springs."





Page 4.3-9: Figure 4.3-2:

Figure 4.3.2, Surrounding ESHA Map, was updated to reflect the 2015 SPA mapping.

Section 4.3.1(b), Page 4.3.18:

Jurisdictional Drainages and Wetlands. No areas defined as wetlands by Federal, State or local policies are located on the Project site. Two previously identified jurisdictional features exist off-site adjacent to Project: 1) Los Carneros Creek, approximately ~~100~~67 feet (measured from the edge of riparian vegetation) north of the northeast corner and channelized east of the Project footprint site; and 2) the Los Carneros Wetland adjacent to S. Los Carneros Road and Hollister Avenue, approximately 80 feet south of the southeastern corner of the Project footprint site. No jurisdictional features are present within the Project site.

Los Carneros Creek riparian habitat, measured to edge of the willow thickets, extends approximately 100 feet wide beyond the limits of the banks where the creek crosses U.S. 101. The potential off-site jurisdictional edge of riparian vegetation begins approximately ~~100~~67 feet from the northern Project footprint boundary. During 2015 surveys the ordinary high water mark (OHWM) was not apparent as the creek was obscured by vegetation; the mapping in Figure 4.3-2 reflects the extent of the 2015 riparian vegetation. The off-site drainage is intermittent and does not regularly contain flowing water (Leydecker, 2006). Los Carneros Creek is channelized approximately ~~450~~ 400 feet to the east of the Project footprint site, separated by Aero Camino. Water in Los Carneros Creek flows approximately 1.18 river miles south to its confluence with Tecolotito Creek, then approximately 2.24 river miles through the Goleta Slough to the Pacific Ocean.

Section 4.3.1(b), Page 4.3-23:

Policy CE 2.2, designated Streamside Protection Areas (SPA), requires a 100-foot buffer from Los Carneros Creek, shown in Figure 4.1 (Figure 4.3-3). SPA buffers may be adjusted up to 25 feet based on a site-specific assessment during environmental review in coordination with the City 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."<sup>2</sup> The riparian habitat associated with Los Carneros Creek, located approximately 100 feet from the northeast Project footprint, is mapped as an SPA ESHA, thereby warranting a 100-foot buffer under Policy CE 2.2. The Project has been designed to meet the 100-foot setback requirement. See Impact BIO-5 in Section 4.3.2 (below) for a buffer recommendation from off-site Los Carneros Creek.

Section 4.3.2(b), Impact BIO-3, Page 4.3-31:

No areas defined as wetlands by federal, State or local policies are located on the Project site. The Project would have no direct impacts to off-site riparian vegetation or Los Carneros Creek jurisdictional waters, since development is proposed greater than ~~100~~ 67 feet from the edge of

---

<sup>2</sup> Measured from the top of the bank or the outer limit of wetlands and/or riparian vegetation, whichever is greater.



vegetation of Los Carneros Creek off-site, and is hydrologically separated by the filled and compacted UPRR track.

Section 4.3.2(b), Impact BIO-5, Page 4.3-36:

*Policy CE 2: Protection of Creek and Riparian Areas.* Policy CE 2.2 requires a buffer of 100 feet from an SPA, but also allows the City to adjust the 100-foot buffer to 25 feet based on a site-specific assessment at the time of environmental review, 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.”<sup>3</sup> The Project has been designed to meet the 100-foot setback requirement. ~~Biological surveys conducted in 2020 and 2021 determined that the current extent of the SPA ESHA (arroyo willow riparian habitat) north of the Project site in the UPRR right of way was 23 feet closer than the original boundary mapped by the City of Goleta in 2009 and described in 2015 (see Figure 4.3-2). This environmental setting change may be due to annual increases in precipitation since 2015, as well as UPRR vegetation and right-of-way management practices. Based on the 2020 and 2021 surveys and mapping of the off-site riparian vegetation, the original 100-foot SPA buffer extends slightly farther (additional 23 feet) into the Project site than the 10 feet mapped in 2009. The 100-foot SPA buffer from the outer edge of the current arroyo willow riparian canopy extends 33 feet into the Project site (see Figure 4.3-2).~~

~~The Project is hydrologically separated from the creek by the UPRR right of way which includes steel railroad tracks, wooden railroad ties, and a gravel railroad bed on compacted fill. The entire SPA is off-site and located in the UPRR/Caltrans right of way. Approximately 85% of the SPA 100-foot buffer between the Project and Los Carneros Creek is within the UPRR right of way. As a result, the UPRR reduces the quality of the SPA buffer, and precludes the area between the Project site and Los Carneros Creek from the possibility of existing in a “natural state” in the future. The UPRR and Caltrans right-of-way are also major transportation corridors that provide very limited, poor quality wildlife habitat. Fast moving cars and trains create a collision risk for wildlife, and also generate noise and human presence that may discourage wildlife from using the area. Because these are the very effects the SPA buffer is intended to attenuate, the existing buffer function is low. Additionally, the UPRR fragments the riparian woodland habitat that grows on the right-of-way creek banks.~~

~~The Project would be constructed within existing disturbed areas only, and has been designed to avoid impacts to sensitive resources (e.g., incorporation of wildlife connections in the landscaping). No habitable structures are proposed within 100 feet of the edge of riparian vegetation. The only development proposed within the SPA buffer is a sound wall, paved vehicle parking spaces, and landscaping that will be placed within 67 feet from the edge of the Los Carneros Creek riparian vegetation, but such placement would not affect the existing degraded function of the SPA buffer. This project component has not changed since the 2016 DEIR. The proposed 8-foot sound wall will be constructed along the north, eastern and western perimeter of the Project site and will function as a physical barrier preventing domestic pets (cats and dogs) owned by residents from entering the train tracks and adjacent riparian woodland; and will also prevent invasive plant species that exist in the railroad right-of-way and riparian woodland from~~

---

<sup>3</sup> Measured from the top of the bank or the outer limit of wetlands and/or riparian vegetation, whichever is greater.



~~spreading into the residential development. In addition, the Project's on-site storm water drainage system includes permanent water quality BMPs such as bio-swales, catch basin filters, and the existing retention/infiltration basins, to capture and filter potentially occurring pollutants from developed areas. Given that the entirety of the site (including the SPA buffer encroachment) would drain into the proposed on-site permanent BMPs and not directly into Los Carneros Creek, it is unnecessary for the upland SPA buffer to filter and remove potentially occurring pollutants from developed areas. No direct impacts would occur to Los Carneros Creek from implementation of the Project. The Project has the potential to result in indirect impacts to the riparian corridor associated with Los Carneros Creek and aquatic habitat in channelized Los Carneros Creek during construction activities. However, as discussed above, impacts to wetlands and waters would be less than significant with adherence to existing regulations (e.g., SWPPP, General Plan Policy 1.9(g) and CE 10). Mitigation Measure BIO-4(b) regulating the use of fertilizers, pesticides, and herbicides, applied for wildlife migration protection, would also protect streamside vegetation and the biotic quality of the stream. The proposed sound wall at the property line (67 feet from the edge of riparian vegetation) would further reduce indirect impacts from noise, runoff, and lighting. For these reasons, and because of the location and hydrological separation by the of the UPRR tracks, a buffer of less than 100 feet is adequate since the reduced buffer (67 feet from edge of riparian vegetation) to the edge of the limits of Project development (e.g., landscaping, fencing, parking) would avoid significant impacts on the streamside vegetation or the biotic quality of the creek. This is consistent with Policy CE 2.2<sup>4</sup>, the site specific analysis in the 2016 DEIR, and recommendations in the August 2020 Environmentally Sensitive Habitat Biological Survey and Mapping by Watershed Environmental Inc. With implementation of the recommended 33-foot reduction of the SPA buffer to a 67 foot buffer from the edge of riparian vegetation, the Project will not have a significant adverse effect on streamside vegetation or the stream's biotic qualities, and is consistent CE Policy 2.2. No additional mitigation measures are necessary.~~

~~As discussed in the *Heritage Ridge 100' Stream Protection Area Setback Reduction Request* (TK consulting 2020), alternative siting for the Heritage Ridge Project is not feasible. The Project has been designed to be consistent with densities required of a medium density residential/Central Hollister Affordable Opportunity Site. The Project has also been designed to be consistent with various City policies and development standards, including those related to: protection of cultural resources; minimum parking; storm water management; common open space; County Fire Department access; and maximum height and view protection.~~

### 9.2.2 Master Response 2: Coastal Sage Scrub Environmentally Sensitive Habitat Area

As discussed in Section 4.3, Biological Resources, of the Revised Draft EIR, pursuant to the City of Goleta General Plan Policy CE 1.5, an Environmentally Sensitive Habitat Area (ESHA) designation may be removed if a site-specific biological study contains substantial evidence that an area previously shown as an ESHA on Figure 4-1 of the General Plan does not contain habitat that meets the definition of an ESHA (excluding illegal removal). The *Technical Review of Coastal Sage Scrub Environmentally Sensitive Habitat Area for the North Willow Springs Project* (Dudek 2014a), Dudek's Transect Data Sheet attached to Comment Letter 14 (refer to Section 8.0, Response to Comments) (Dudek 2016), and Watershed Environmental, Inc.'s *Environmentally Sensitive Habitat Biological Survey and Mapping* (Watershed Environmental 2020) (Appendix D) includes

---

<sup>4</sup>Policy 2.2 states "~~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.~~



three additional site-specific biological studies and substantial evidence regarding the ESHA designation. According to Figure 4-1 in the Conservation Element of the General Plan, the Project site contains coastal sage scrub ESHA; however, coastal sage scrub habitat that meets ESHA criteria was not observed within the Project site boundary or study area. As described below, the coyote brush scrub does not meet the criteria in relevant City General Plan policies (CE 1.1a, CE 1.1b, CE 5.3) to be considered an ESHA or coastal sage scrub (including coastal scrub) and, therefore, would not be subject to the ESHA protection policies of the General Plan.

As described in Section 4.3, Biological Resources, of the Revised Draft EIR and explained in greater detail in accompanying technical studies in Appendix D, the vegetation within the Project site does not exhibit the requisite characteristics to qualify as ESHA. Policy CE 5.3 states that:

*Coastal sage scrub is defined as a drought-tolerant, Mediterranean habitat characterized by soft-leaved, shallow-rooted subshrubs such as California sagebrush (*Artemisia californica*), coyote bush [brush] (*Baccharis pilularis*), and California encelia (*Encelia californica*). [...] The area must have both the compositional and structural characteristics of coastal bluff scrub, coastal sage scrub, or chaparral habitat as described in Preliminary Descriptions of Terrestrial Natural Communities of California (Holland 1986) or other classification system recognized by the California Department of Fish and Game.*

These studies conclude that the habitat composition and structure does not support, nor does it have the ability to support, an especially rich and diverse plant and/or wildlife population associated with an ESHA. While California sagebrush and California encelia are present, no other coastal sage scrub species were observed as occurring even intermittently (33% to 66% absolute cover) or sparsely (< 10% relative cover) (defined by Sawyer et al. 2009) by Rincon or Dudek Biologists during baseline surveys in 2014–2015. Coyote brush (or the Project site) is not mentioned as coastal sage scrub in General Plan Table 4-2, Examples of Environmentally Sensitive Habitats (page 4-9). Disturbed coyote brush scrub with low biological diversity lacking structural characteristics is present on the Project site and the studies conclude that this is not a California Department of Fish and Wildlife (CDFW) or other sensitive plant community and does not meet the City's definition of ESHA.

As described by Rundel and Gustafson (2005) and Rundel (2007), coastal sage scrub is dominated by semi-woody shrub species, and most of the flora is drought-deciduous, with a smaller portion represented by evergreens and succulents. Common shrub species include a number of sage species, such as *Salvia mellifera*, *S. leucophylla*, and *S. apiana*, two species of the composite family (*Asteraceae*): *Artemisia californica* and *Encelia californica* and two buckwheat species: *Eriogonum fasciculatum* and *E. cinereum*. The evergreen species *Rhus integrifolia*, *Malosma laurina*, and *Heteromeles arbutifolia* are present, too. Coastal sage scrub also supports the *Cactaceae* succulents *Opuntia littoralis*, and *Cylindropuntia prolifera*. Coastal sage scrub tends to be a floristically diverse combination of annuals, perennials, and geophytes, although some of the species can dominate large areas. With the exception of the hydroseeded *Encelia californica*, the coyote brush scrub on the Project site lacks the above mentioned species and is not coastal sage scrub under this definition.

Separate from the Policy CE 5.3 language above or CDFW sensitivity, the City's Environmental Thresholds and Guidelines Manual Appendix A omits coyote brush or quailbush from the description of coastal sage scrub: *Coastal sage scrub is a drought-tolerant, Mediterranean habitat characterized by soft-leaved, shallow-rooted subshrubs such as California sagebrush, (Artemisia California), several sage species (Salvia spp.): California buckwheat (Eriogonum spp.), and California encelia (Encelia californica)* (Page A-9). The



*Manual of California Vegetation, Second Edition* (Sawyer et al. 2009) defines coastal scrub as “shrubland dominated by species having evergreen or deciduous, non-leathery leaves, such as California buckwheat, California sagebrush, coyote brush, or sages” (Sawyer et al. 2009, CNPS 2021). Monotypic stands of coyote brush lack the species diversity and vegetative structure typically seen in higher quality coastal sage scrub habitats (Dudek 2014). Therefore, the mapped ESHA is not a coastal sage scrub or coastal scrub as defined under the City’s CEQA Thresholds. As stated in the Revised Draft EIR, coyote brush scrub is not considered sensitive by the State of California (CDFW 2020) since coyote brush scrub was given a ranking of G5/S5 which is defined as “demonstrably secure.” Coyote brush scrub is not included in the CDFW list of California Sensitive Natural Communities (CDFW 2020); refer to Master Response 3, Sensitive Communities, for details. The National Vegetation Classification Hierarchy as Applied to California Vegetation identifies coastal sage scrub as a macrogroup of multiple alliances, none of which includes coyote brush as the dominant alliance species.

The General Plan identifies a total of 2.19 acres of generally mapped “Sage Scrub/Dune/Bluff Scrub” ESHA within the Project area. In 2014, Dudek performed a site survey and prepared an associated memo providing a technical review of this City-designated ESHA (Dudek 2014a) and the current ESHA site conditions compared to the definition of ESHA in the General Plan. This technical review was also based on City of Goleta Resolution No. 12-46 which updated the General Plan to remove the ESHA designation from the Willow Springs II project site, adjacent and to the south of the Heritage Ridge Project site (City of Goleta 2012). The mapped ESHA habitat at the Heritage Ridge Project site is similar in species composition to the area formerly mapped as ESHA habitat at the Willow Springs II project site. Based on the technical evaluation, Resolution No. 12-46 removing coyote brush from the same mapped ESHA unit directly to the south<sup>5</sup>, and the 2014 site survey, Dudek concluded that the 2.19 acres of disturbed coyote brush scrub within the Heritage Ridge Project site is not a sensitive plant community, and as such does not meet the City’s definition of ESHA. In conclusion to the technical evaluation, Dudek recommended that the 2.19 acres of ESHA designation be removed from the Heritage Ridge Project site. Rincon biologists confirmed these findings in 2015 and 2021. Dudek biologists also performed a special status plant survey and habitat assessment in August 2016; refer to 2016 Comment Letter 14 in Section 8 of this Final EIR. Dudek biologists established a 1-meter interval point intercept transect within the coyote brush scrub to confirm vegetation mapping on the project site: refer to 2016 Comment Letter 14 Attachment A in section 8 of this Final EIR for the datasheet. Transect data showed over 55 percent cover of coyote brush (*Baccharis pilularis*) and no other co-dominant or associated shrub species. Since the coyote brush scrub alliance vegetation community lacks compositional and structural components of coastal sage scrub, removal of the coyote brush scrub from coastal sage ESHA designation from this area is appropriate (Dudek 2014). The Revised Draft EIR is consistent with this assessment of the habitat on site.

The coyote brush scrub and quailbush scrub habitats on site are documented as having one dominant shrub species each, coyote brush and quailbush, and no co-dominant or associated shrub species as described in *A Manual of California Vegetation, Second Edition*, generally relative cover greater than 30% (Sawyer et al. 2009). The CWMP (page 73) describes coyote brush as a “community [that] often forms monocultures thereby lacking the diversity of similar habitats, such as coastal sage scrub”.

Furthermore, the history of sage scrub ESHA mapping is described in the Biological Resource Assessment (Appendix D) on page 25, and includes mapping under the 1993 Goleta Community Plan (not ESHA) and the 2004 Detailed Habitat Inventory as “Various Annual Grasslands” (County of Santa Barbara 1993, City of Goleta, 2004). The 2006 *Goleta General Plan/Coastal Land Use Plan FEIR* (General Plan FEIR) includes coastal

---

<sup>5</sup>Consistent with General Plan Policy CE 1.5 and Open Space Policy 7.3 the ESHA mapping was removed since a biological study demonstrated that ESHA does not exist since coyote brush on site did not meet the definition of ESHA



sage scrub and coyote brush scrub as separate categories in the text descriptions (page 3.4-5). However General Plan FEIR Table 3.4-1 (page 3.4-3) includes coyote brush scrub with “native scrub” under “ESHA Types” but within its own category separate from coastal sage scrub. General Plan FEIR Figure 3.4.1 maps the area as “scrub” without distinguishing between coastal sage scrub and coyote brush scrub.

Since both coyote and quail brush vegetation communities, as they exist on the Project site, lack compositional and structural characteristics of intact coastal bluff scrub and coastal sage scrub, these communities should not be considered ESHA per the General Plan, including Policy CE 5.3. As discussed in the Revised Draft EIR, coyote brush is an early native colonizer after disturbance and can eventually facilitate the conversion of non-native grassland to native communities such as oak woodlands or coastal sage scrub (Brennan et al 2018). In spite of the fact that coyote brush is a native shrub common in coastal areas and other locales, its propensity to colonize and expand into areas forming monotypic stands has been the subject of some debate in terms of its perceived pros and cons by different land management agents. For example, California State Parks view the grasslands as historical relics of a lost landscape, the coyote brush invasion is seen as a negative change (Brennan et al 2018). However, the monoculture stands present are on-site do not meet the definition of ESHA.

At the programmatic level, General Plan FEIR Impact 3.4-11 found that development of vacant sites and the construction and maintenance of roads, trails, parks, and public facilities entail activities that could remove and degrade non-special-status habitats and adversely affect non-special-status species. However, the General Plan FEIR concluded these impacts are not potentially significant and do not require mitigation.

While one of the commenters (Commenter 7) points to the Carpinteria Bluffs ESHA and past mitigation at Bacara Resort and Ellwood Mesa as evidence that coyote brush is ESHA, it is not an applicable comparison for this project since it is under separate jurisdiction and review standards, subject to different state policy framework than the City’s General Plan, and mitigation requires enhancement and monitoring. The ESHA designation in the coastal zone is regulated by the California Coastal Commission and local jurisdiction under the Coastal Act or an approved Local Coastal Program (LCP). This site is governed by the City of Goleta’s General Plan policies and is not located in the Coastal zone. Further the City of Goleta does not have an adopted LCP.

For reference and comparison purposes, the City of Carpinteria refers to this as coastal sage bluff scrub vegetation, and the City of Carpinteria LCP states that the eastern half of the site is dominated by coyote brush, quailbush, lemonade berry, coastal goldenbush, and short leaved cliff aster (State of California Coastal Conservancy 2017). This description indicates that other species such as lemonade berry and coastal goldenbush are codominant, indicating greater diversity than the coyote brush present on the Heritage Ridge Project site. The Carpinteria bluffs are expressly stated to be in ESHA Overlay along 6,000 linear feet of coastline (Policy OSC-1c, Figure OSC-1, Table OSC-1) in the City of Carpinteria’s General Plan and LCP. The LCP states that outside the Carpinteria bluffs and Carpinteria Creek inland locations of upland coastal sage scrub (the equivalent of this location), ESHA status of communities is on a case-by-case basis as projects are reviewed (Table OSC-1, page 96), similar to the City of Goleta’s General Plan Policy CE 1.3 requiring site specific biological studies. Examples provide for Bacara Resort and Ellwood mesa where coyote brush scrub is accepted as mitigation is under the purview of the California Coastal Commission and not the inland General Plan, and requires restoration, active management, and monitoring. Both examples provided are under a separate jurisdictions and review standards; the Carpinteria bluff scrub ESHA includes codominant species; and the City of Carpinteria requires evaluation on a case-by-case basis inland for inland communities similar to the Project site in the City of Goleta. Furthermore, the Goleta Zoning Ordinance Supplemental EIR (SEIR),



Chapter 3.4 Biological Resources, Table 3.4-1: 2014 Habitat Types (Existing Conditions) versus 2009 Habitat Types in the 2009 FEIR, indicates that amount of southern coastal bluff scrub ESHA has increased in the City by 29.6 acres, or an increase of 40 percent (City of Goleta 2016).

The Santa Barbara County Eastern Goleta Valley Community Plan (EGVCP) is a recent local policy document within the same watershed as the Project Site where monotype habitat, such as coyote brush, is not considered indicative of ESHA (Santa Barbara County, 2015 and 2018). The 2015 EGVCP applies to 23,300 acres of unincorporated lands beginning 0.61 miles north of the Project site at the city boundary. The EGVCP extends from the city to the ridge of the Santa Ynez Mountains and includes the eastern portion of the Los Carneros Creek watershed. The EGVCP has a similar “inland ESHA” policy framework protecting sensitive coastal sage scrub (S3 or higher) and does not designate coyote brush as ESHA (Policy ECO-EGV-5.4). EGVCP Policy ECO-EGV-5.4 includes inland ESHA “Coastal sage scrub (including but not limited to California sagebrush and soft scrub – mixed chaparral alliances.” As discussed above coyote brush scrub is not classified as “California sagebrush and soft scrub – mixed chaparral alliances”. Coyote brush scrub is not included in this classification, and presumably ESHA “is not limited this description and would be determined on a case by case basis.” The 2018 vegetation mapping developed to create the EGVCP ESHA Overlay does not include coyote brush scrub as ESHA and states that 17.7 acres of coyote brush are present in the EGVCP mapping “all are located near urban disturbed areas (homes or orchards)” (Aerial Information Systems, Inc. 2018.)<sup>6</sup>. Similar to General Plan Policy CE 1.3, inland ESHA status within the EGVCP is to be determined on a case-by-case basis and represents a more similar local policy example of the treatment of coyote brush.

The references section of the Final EIR was revised to reference the 2020 CDFW Natural Community List. Section 4.3, Biological Resources, of the Final EIR was revised to reflect the 2016 Dudek special-status plant survey and habitat assessment (see Section 8.0, Letter 14) and the 2021 CWMP.

### **9.2.3 Master Response 3: Sensitive Communities**

According to the CDFW’s Vegetation Program, Alliances with State ranks of S-1 through S-3 are considered to be imperiled, and thus, potentially of special concern/sensitive. The CEQA Guidelines (§ 15125[c]) also reflect vegetation communities with a State Rank/Global Rank of 1-3 should be considered sensitive for purposes of the CEQA analysis, unless otherwise specified local regional plans or considered rare or unique to the region regulations, or ordinances.

Disturbed Coyote Brush Scrub (*Baccharis pilularis Shrubland Alliance 32.060.00*) (G5/S5) and Quail Bush Scrub [*Atriplex lentiformis Shrubland Alliance 36.370.00*] (G4/S4) on-site lacks species diversity since the communities were recently (after approximately 2002) established on fill and are regionally not rare or unique. During the 2014, 2015, 2016, 2020, and 2021 surveys conducted by Dudek, Rincon, and Watershed Environmental, no sensitive plant communities were observed, nor were any of the individual indicator species associated with sensitive natural communities observed. Topsoil salvage and translocation is not proposed.

As discussed under, the City’s Environmental Thresholds and Guidelines Manual Appendix A omits coyote brush or quailbush from the description of coastal sage scrub (Page A-9). Therefore, coyote and quailbush scrub is not a sensitive community under the City’s Environmental Thresholds and Guidelines Manual.

---

<sup>6</sup> Appendix C, Page C-3, Row 32110. Average Polygon size 4.4 acres.



In 2021 *California encelia* is present in the southwest portion of the site mapped as upland mustard (*Brassica nigra* and other mustards Herbaceous Semi-Natural Alliance, 42.011.00). As discussed in the Revised Draft EIR, this species was included in the hydroseed mix applied in 2014 and the presence of this species does not indicate a “naturally occurring” community. As discussed in Revised Draft EIR Section 4.3, *C. encelia* was a component of the native grassland/scrub hydroseeded on the fill slope in 2014 and mapped as upland mustard. If this was a “naturally occurring community,” the membership rules for the alliance/association would apply. For the Upland mustard community mapped on-site the *Manual of California Vegetation* states “Emergent trees and shrubs may be present at low cover” generally meaning less than 10 percent cover. *Encelia californica* (32.050.02) (sensitive at the alliance level G3/S3) require greater than 30 percent relative cover in the shrub layer; based on 2021 surveys this species is not present at 30 percent cover in the area mapped as Upland Mustard. Baseline surveys conducted by Dudek and Rincon between 2014-2016 and confirmed in 2021 did not detect this species at greater than 10 percent relative cover anywhere on the Project site.

As stated in the Revised Draft EIR “Pursuant to the General Plan CE Policy 5.2 and the City of Goleta Environmental Review Guidelines and Environmental Thresholds Manual, existing native grasslands must be comprised of 10% or more total relative cover (proportion in relation to other species) of native grassland species and that removal of or disturbance to a patch of native grasslands (e.g., purple needle grass) less than 0.25 acre that is clearly isolated and not part of a significant native grassland or an integral component of a larger ecosystem may be allowed.” The Manual of California Vegetation includes five separate membership rules for *Nassella* [*Stipa*] spp. – *Melica* spp. Herbaceous Alliance (Needle grass - Melic grass grassland): 10 percent and 30 percent relative cover, absolute cover in the herbaceous layer of five percent (characteristic to dominant species), and two percent (characteristically present) (Sawyer et al. 2009). As stated in the Revised Draft EIR, native grassland species are present because of a required hydroseed following grading in 2013 and was 16 percent of the seed mix, and is not part of an integral ecosystem but instead was planted for erosion control and soil stabilization following ground disturbance. As evaluated in the Revised Draft EIR, impacts to *Brassica nigra* and other mustards (Upland Mustards) Herbaceous Semi-Natural Alliance with native species grassland species present due to hydroseeding would be less than significant.

Given the impacts to sensitive communities are less than significant with mitigation prohibiting invasive species (Mitigation Measure BIO-2), mitigation and restoration plans are not required. No revisions to the Revised Draft EIR or mitigation measures are necessary in response to this topic.

#### **9.2.4 Master Response 4: Wildlife Movement**

Section 4.3, *Biological Resources*, of the Revised Draft EIR and the associated technical study in Appendix D provide a detailed analysis of the current function of the Project site as a wildlife corridor (linkage), and conclude that small- and medium-sized wildlife traverse the site when moving between the Los Carneros Wetlands and the Santa Ynez Foothills. As shown in the 2014 Dudek Report, wildlife generally use the northern and western portion of the Project site (Figure 9-1, below). This is likely due to the existing chain link fencing along the southern and eastern project site boundary<sup>7</sup> and the cultural resources area. The northern portion of the wildlife linkage shown in Figure 9-1 is approximately 185 feet in width mapped

---

<sup>7</sup> Note that during the study, several openings were cut in the existing chain link fencing in areas where wildlife traveled or could through the site on the way to and back from the Los Carneros Wetlands. (Dudek 2014, page 9).





outside the Project boundary between the Project’s existing fenced 20-foot fill slope and US 101. The Project would not directly affect the northern portion of the corridor as mapped in Figure 9-1.

Figure 9-1: Wildlife Corridors



Source: *Wildlife Corridor Analysis for the Heritage Ridge Project* (Dudek, 2014b)

As explained in the Revised Draft EIR, the Project’s effects on this corridor would be less than significant, because the linkage’s existing use has been shown to be limited to smaller urban adapted wildlife species that are able to utilize narrower corridor widths. The width of the corridor is not changing in the northern portion and on the western portion of the Project site, and the Project would retain a passable corridor for these species’ use of the western portion of the Project site in the developed condition. An existing 132-foot chain link fence bisecting the corridor in the northwestern western portion of the Project site would be removed that would allow for more movement through the corridor. Furthermore, the proposed sound wall along the northern project boundary would shield wildlife from Project human uses, and feasible mitigation (Mitigation Measures BIO-4[a] through BIO-4[c]) has been identified to reduce indirect impacts (such as noise, nighttime illumination, sedimentation, and presence of domestic predators) to the wildlife corridor.

The Revised Draft EIR Section 4.3 Impact BIO-4 (page 4.3-33) includes the following City Environmental Thresholds and Guidelines Manual addressing if a project would

- (1)d “Substantially fragment, eliminate, or otherwise disrupt foraging areas and/or access to food resources”



(1)e. *Substantially limit or fragment range and movement (geographic distribution of animals and/or seed dispersal routes).*

(3)(b) *Would it adversely indirectly affect wildlife (light, noise, barriers to movement, etc.)? Would it fragment the area's resource?*

The Revised Draft EIR impacts were evaluated consistent with the City's Environmental Thresholds and Guidelines Manual.

In June and July 2020, wildlife tracking and camera surveys were conducted in Los Carneros Creek as part of the City's Creek and Watershed Management Plan Wildlife Corridor Study Report (Appendix E, Dudek 2020, Figure on page 372). Use by small- and medium-sized wildlife in Los Carneros Creek is further substantiated by the CWMP study north of US 101<sup>8</sup>, from more intact habitat adjacent to Bishop Ranch from where wildlife would travel under the freeway culvert south to the Project site. CWMP Appendix E Figure 3 (Figure 9-2, below) maps Los Carneros Creek as a corridor, and riparian vegetation is only mapped north of US 101; the Project site is mapped as "Open Space" supporting less natural habitat than those characterized in the report as "habitat patches" (e.g., parks, golf courses, or the sides of roads or highways) but provide open space that some wildlife can use for various life-history functions as shown in Figure 9-3<sup>9</sup>. In addition, the Project site is in a developed area and is separated from larger core habitat patches identified in the 2020 CWMP and 2014 Dudek study, including the Goleta Slough by Hollister Avenue and Bishop Ranch by UPPR and US 101.

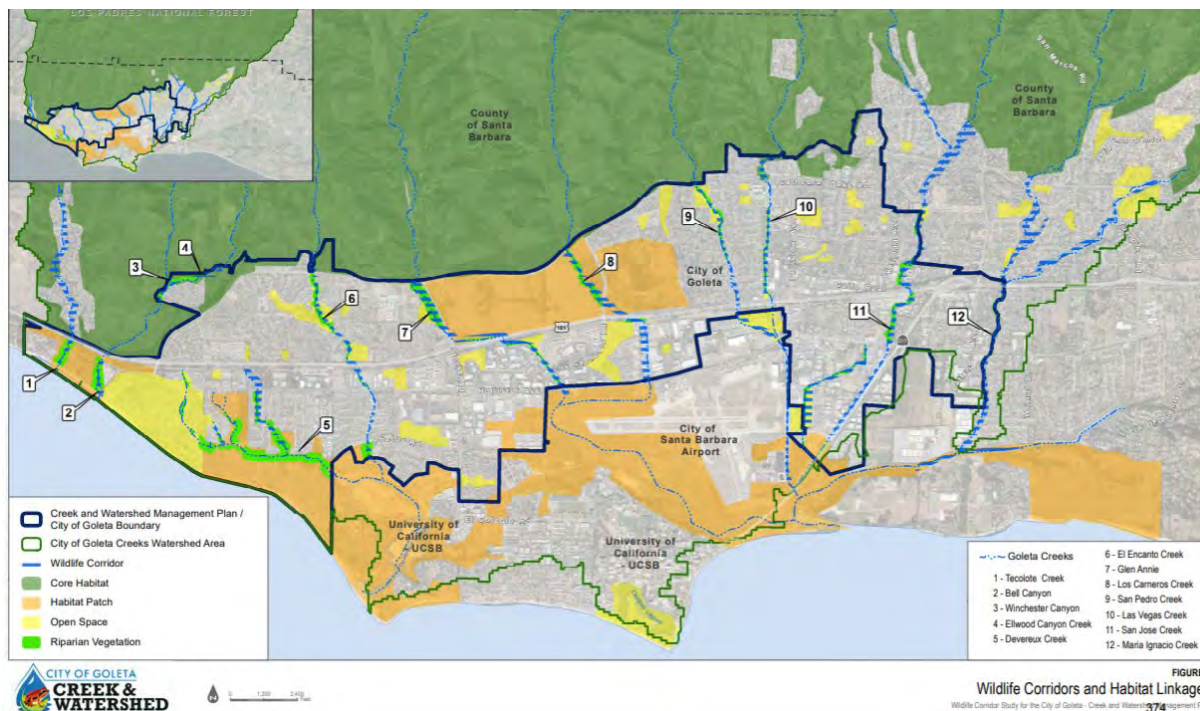
---

<sup>8</sup> Refer to Dudek 2020a for the location of the (CWMP page 372). Table 4 Species at Camera Station. North of 101 (LC-3) 500 feet north of the study area: Bobcat, coyote, raccoon, resident species (striped skunk, Virginia opossum, rabbit, and rodent) May 27 to August 4, 2020. Hollister Avenue (LC-4) 1500 feet south of the study area: no species June 3 to July 14, 2020.

<sup>9</sup> The CWMP defines "Open Space" as "Natural to semi-natural spaces used by wildlife. These areas support less natural habitat than those characterized in the report as "habitat patches" but provide space, such as in parks, golf courses, or the sides of roads or highways, that some wildlife can use for various life-history functions".



Figure 9-2: CWMP Appendix E Figure 3, Wildlife Corridors and Habitat Linkages



Source: City of Goleta Creek and Watershed Management Plan Wildlife Corridor Study Report (Dudek 2020)

As evaluated in Section 4.3, *Biological Resources*, of the Revised Draft EIR, Project impact on the existing disturbed wildlife corridor would be less than significant, and provision of a wider corridor is not required. The study area has been the subject of numerous biological studies, including vegetation mapping, a wildlife movement study using cameras (2013, 2014, Los Carneros Creek 2020), a vascular plant survey, and six separate surveys for special-status species, sensitive plant communities, and jurisdictional waters, and these surveys adequately described the existing biological conditions within the Project site.

An 8-foot-high sound wall is proposed along the northern project footprint and would replace the existing 20-foot fill slope. As shown in Figure 9-3, the existing wildlife corridor is along the base of the berm and extends to the west; the proposed sound wall would guide wildlife in this same location/direction as travel documented in the 2014 Dudek study. The existing fill slope presents a wildlife barrier, and construction of an 8-foot-high sound wall would not be a significant impact. The wall would also separate humans from the proposed wildlife corridor, as Comment Letter 6 recommends (Comment 6.2). Impacts from the removal of a strip of coyote brush scrub, without the characteristics of “coastal sage scrub” along the northern property line are less than significant as evaluated in Revised Draft EIR. The CWMP page 63 acknowledge that monoculture coyote brush stands do “provide some cover for smaller wildlife traversing the habitat and seeking temporary cover from adjacent open habitats, such as mice, deer, rabbits, and lizards.” The area would be replaced with native landscaping that would provide canopy cover north of the proposed sound wall (True Nature 2021). Additionally, the on-site coyote brush is located outside the mapped the wildlife corridor as shown on Figure 9-1. Suitable cover (coyote brush, willow, eucalyptus) is present between US 101 and UPRR where the culverts under the US 101 terminate at the UPRR tracks. A culvert is present under the UPRR tracks adjacent to the northwest corner of the Project site where raccoon, coyote, and bobcat tracks or scat were identified in the 2014 Dudek Study (not shown on Figure 9-1, outside the camera study area). These features allow wildlife to travel to the planted slope

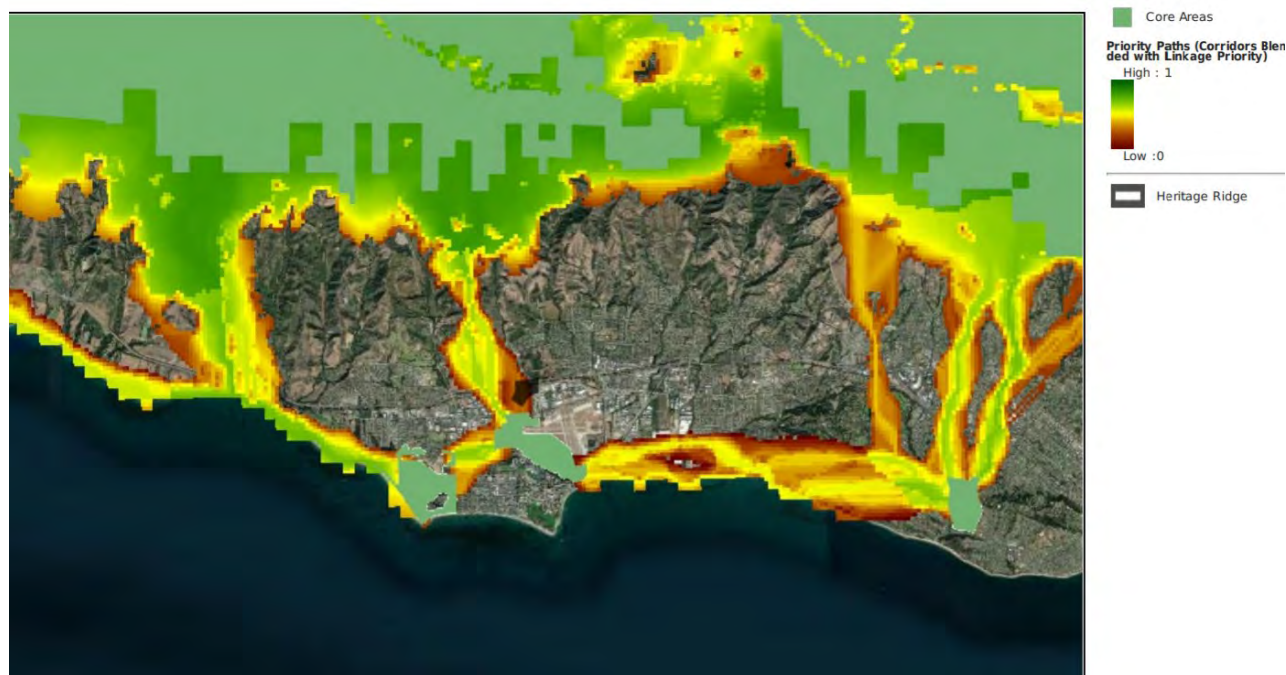




proposed adjacent to Los Carneros Road allowing movement to the west to west and to Los Carneros Wetland independently of the coyote brush on the northern portion of the fill slope.

Comment Letter 5 includes a map and citation for Santa Barbara County Structural Connectivity used to model potential corridor locations and value based on the most suitable habitat for species movement (see Figure 9-3 below). The modeling quantifies the relative conservation of each linkage in a landscape and identifies six criteria that combine in a weighted sum to determine the relative priority of each linkage (Conservation Biology Institute, 2019a; Gallo 2018). An example criterion is the relative permeability of a linkage (i.e., the mean resistance values along the least cost path) estimate of landscape resistance, based on the extent to which human impacts such as urban development, linear development, natural resource extraction, and agriculture have disrupted the landscape across the study site (Gallo 2019a). The western portion Project site is mapped within a 5,180-foot-wide structural connectivity corridor also encompassing Tecolotito Creek which as a whole is modeled as a lower linkage compared to others in the region priority based on resistance. Within the corridor itself, the western portion of Project site is mapped as high resistance (i.e., dense urban areas to the west of the project site); there are lower cost areas with less resistance (in green) along the western portion of the corridor (i.e., Tecolotito creek) that favor wildlife movement. Based on this model, wildlife would prefer to move along the green/yellow areas over the Project site, making the Project site a low priority path. Additionally, there are high resistance areas not suitable for wildlife migration (e.g., urbanized or rough terrain) mapped south-east of the Project site, preventing wildlife movement from entering south of the Project site. This analysis reflects the conclusion of the Dudek Report that this wildlife movement is not documented to the Goleta Slough to the Santa Ynez mountain foothills through the Project site but rather Tecolotito Creek shown in green/yellow.

**Figure 9-3 Project Site in Relation to Conservation Biology Institute Mapping**



Source: Structural Connectivity, Santa Barbara County. Conservation Biology Institute. (Gallo 2019)

The remaining core wildlife habitat in the Project vicinity is separated from the Project site by major barriers. The 2009 Goleta General Plan/Coastal Land Use Plan Final Supplemental EIR Section 3.4.1.3

states that “Linkages provided by local creeks may occur only infrequently, because there are many intervening barriers to dispersal, such as transportation corridors and associated culverted undercrossings and urban development.” Los Carneros Creek wildlife movement was updated and studied in the CWMP, but camera studies did not detect wildlife in Los Carneros Creek south of Highway 101.

Lake Los Carneros Park is approximately 0.1 mile north of the Project site at its closest point. However, it is separated from the Project site by U.S. 101 and the UPRR. Thus, indirect effects from the Project such as noise, night-time lighting, or stray pets would not result in impacts to the wildlife, vegetation, or habitat in the park. Similarly, Goleta Slough is separated from Heritage Ridge by Hollister Avenue, the Willow Springs development, and other development along Hollister Avenue. Facilities associated with the Santa Barbara Airport, including the perimeter fence and Runway 7-25, further separate the major part of the reserve around the Goleta Slough estuary from the Project site. Indirect impacts on wildlife movement to the Los Carneros Wetland, a riparian area to the south of the Project site identified in the Dudek 2014 report as habitat patch (Figure 9-1), were evaluated in Section 4.3, Biological Resources, of the Revised Draft EIR and were determined to be less than significant.

For a discussion of the cumulative impacts to wildlife movement along the western portion of the corridor and the City Capital Improvement Program (City CIP) refer to Response to Comments 5.14 through 5.18.

Section 4.3, *Biological Resources*, of the Final EIR has been revised as follows to include the results of the Structural Connectivity, Santa Barbara County modeling and the CWMP Appendix E Wildlife Corridor Study:

The Project will directly impact the width and topography of the on-site terrestrial wildlife linkage from Santa Ynez Mountain foothills and the Los Carneros Wetlands, through the Project site and across the existing intersection of Calle Koral and Camino Vista. This on-site wildlife linkage is important for many small- (raccoon and striped skunk) and medium- (coyote and bobcat) sized mammal species that use the habitats found in the wetlands and foothills to hunt, seek shelter, breed, and conduct other normal behaviors important for their survival, especially within the wilderness-urban interface. Use by small- and medium-sized wildlife in Los Carneros Creek is further substantiated by the CWMP study north of US 101<sup>4</sup>, conducted in more suitable non-native grassland habitat from where wildlife may travel under the freeway culvert to and from to the Project site (Dudek 2014). As discussed above under Section 4.3.1.b, the *Wildlife Corridor Analysis for the Heritage Ridge Project* did not find evidence of a linkage between the Los Carneros Wetland and “patch” habitat at the Goleta Slough (Appendix D).

<sup>4</sup>CWMP Chapter 4, Table 4, *Species at Camera Station*, North of 101 (LC-3) 500 feet north of the study area: Bobcat, coyote, raccoon, resident species (striped skunk, Virginia opossum, rabbit, and rodent) May 27 to August 4, 2020. Hollister Avenue (LC-4) 1500 feet south of the study area: no species June 3 to July 14, 2020

Section 7.0, References was also revised to include the additional citations (Gallo. 2019a and 2019b, City of Goleta 2020 including Dudek 2020a and 2020b).

### **9.2.5 Master Response 5: White-Tailed Kite**

As discussed in Section 4.3, Biological Resources, in the Revised Draft EIR, white-tailed kite have been observed as transients and foraging on the Project site, as reflected in the July 10, 2021 species list



provided in Comment Letter 5. However, as discussed in the Revised Draft EIR, foraging habitat is not specifically treated as ESHA in the General Plan. The Revised Draft EIR states that the loss of 13.29 acres of relatively low-quality ruderal non-native grassland and shrubland habitat (based on small size, fragmented condition, and proximity to existing development and transportation corridors) is not a significant impact. The Project site provides foraging habitat but is part of a larger foraging mosaic that includes open habitats at the Santa Barbara Airport, Lake Los Carneros, and Bishop Ranch. The Project site habitat of 13.29 acre (8.80 acres non-native grassland and 4.79 acres of shrub) is small when compared to these larger habitat areas within the city limits.

Further surveys are not required since nesting or fall/winter roosting habitat is not present in the Project site or study area. Lake Los Carneros is the only area within 0.5 miles of the Project site where nesting has been recently observed. White-tailed kites were not detected in Los Carneros Creek during 2020 CWMP riparian bird surveys (Dudek 2020b). Since the 1990 record at Los Carneros Wetland referenced in the Revised Draft EIR urban infill has occurred surrounding the wetland and nesting has not been recorded or observed at Los Carneros Wetland in CNDDDB or citizen science databases (CDFW 2021, Ebird 2021, iNaturalist 2021, Audubon 2021). Additionally, the northern part of the Goleta Slough (within 0.5 miles from the Project site) no nesting or roosting was observed during point count surveys four times a month from December 2014 to November 2015; however, foraging was observed (Dudek, 2017).

Large areas of protected open space will remain in the Goleta area, regardless of development of any approved or currently proposed projects. The General Plan FEIR notes that there are four existing nature parks in the City of Goleta (Lake Los Carneros Natural and Historic Preserve, Sperling Preserve, Santa Barbara Shores Park, and Coronado Preserve), totaling 375.1 acres. Habitats within these preserves vary, including the 6.9 acres of the Coronado Preserve, which consists mostly of eucalyptus woodland, a wooded habitat that does not occur on the Project site. Given the varying foraging habits of raptors, which includes species such as white-tailed kite that forage in open areas and species such as Cooper's hawk that may forage in more wooded areas, all of these preserves provide habitat for raptors. Large areas of more open habitats that are less disturbed than the Project site are found at the three larger preserves. In addition, approximately 290 acres of undeveloped or restored land at the University of California, Santa Barbara, adjacent to Goleta on the south and west, will remain available in the future, including the 64-acre North Campus Open Space (the former site of a golf course now being restored as mitigation for University projects), the 158-acre Coal Oil Point Reserve, and the 68-acre South Parcel. The CWMP found that along the upper reaches of Los Carneros Creek 0.5 miles north of the Project site there is some potential for white-tailed kites to frequent the adjacent grasslands north of US 101 for feeding opportunities and nesting opportunities; suitable habitat was not detected south of US 101.

Furthermore, Section 4.3.2 of the Revised Draft EIR references the General Plan FEIR and Statement of Overriding Consideration:

*Cumulative impacts to biological resources, including the "loss of foraging habitat (grassland) for resident and migratory raptors" attributable to Projects in the City, were found to be less than significant (Class III) with adherence to General Plan policies and applicable federal and state regulations (Impact 3.4-14).*

The impacts to foraging habitat as a result of build-out were evaluated under the General Plan FEIR, and Statement of Overriding Considerations was adopted by the City Council.



As discussed in the Revised Draft EIR, impacts to white-tailed kite foraging habitat are less than significant. Therefore, a mitigation plan, including replacement habitat preserved in perpetuity, is not required. As discussed in Section 4.3, Biological Resources and Appendix D (page 21) of the Revised Draft EIR, although the Project site is within a 0.5-mile radius of recorded nests at Lake Los Carneros, the foraging habitats in the City (e.g., Lake Los Carneros City Park) and adjacent undeveloped fields and the Santa Ynez foothills to the north of US 101 are of sufficient size and quality to support successful kite breeding. For example, a 2017 Santa Barbara Airport cumulative study of white-tailed kite habitat<sup>10</sup> found approximately 4,000 acres of annual grasses and forbs which suggest that suitable foraging habitat is still plentiful in the region (Dudek 2017). Other than Lake Los Carneros, the Project is outside of the anticipated foraging range of nesting white-tailed kites at any other known key nesting areas in the Goleta area (City of Goleta 2012). The General Plan FEIR/SEIR and Revised Draft EIR found that cumulative impacts as a result of the loss of marginal foraging habitat would be less than significant; this includes the loss of 13.29 acres of non-native grass and shrubland vegetation on the Project site. The Project site is located an adequate distance from Lake Los Carneros nesting and roosting sites and development of the site would not substantially affect regional foraging habitat. No revisions to the Revised Draft EIR are necessary in response to this topic.

### **9.2.6 Master Response 6: California Red-Legged Frog**

Comments 5.3 and 7.10 state the Revised Draft EIR incorrectly evaluates Los Carneros Creek as not providing suitable habitat for California red-legged frog, and new 2020 CWMP information identifies California red-legged frog in Los Carneros Creek within the species' dispersal distance of the Project (1.7 miles [Bulger et al. 2003]). Comment 5.6 also summarizes that the Revised Draft EIR preparation did not involve the necessary research or protocol level, aquatic, and nighttime California red-legged frog surveys to identify California red-legged frog or alternately to demonstrate absence and incorrectly found no potential for this species on-site. Comment 7.10 states California red-legged frog were detected 0.4 miles upstream in 2019, provides an example where California red-legged frog was found in disturbed habitat 7.46 miles west, and states the 640-foot long culvert beneath US 101 may provide a semi-permeable movement link, and California red-legged frog are capable of long-distance dispersal through rough terrain and can occupy highly disturbed upland habitats.

The CNDDDB does not contain records for the California red-legged frogs (*Rana draytonii*) in the Los Carneros Creek Watershed (CDFW 2021); however, the species was detected north of US 101 during 2019-2020 surveys for the CWMP north of US 101. Recent (2017) CNDDDB records are present in the adjacent Glen Annie (Tecolotito) Creek Watershed (one mile to the west) and the San Jose Creek Watershed (1 mile to the east) upper reaches in the Los Padres National Forest upstream from urban, suburban, and agricultural land uses. The 2013 CNDDDB reference provided in Comment Letter 7 references at Cathedral Oaks Road is not recorded in the CDNDB.

Within the Los Carneros Creek watershed, suitable breeding habitat is not present south of the US 101 culvert since pools are not present as shown in Figure 9-4. Based on the CWMP upland from the culvert north of US 101, approximately 0.5 mile north of the Project site, the watershed contains suitable aquatic breeding perennial breeding pool and non-breeding habitat, and upland habitat in the mapped riparian and grassland habitat shown on Figure 9-4. According to the CWMP (Page 151), the upper

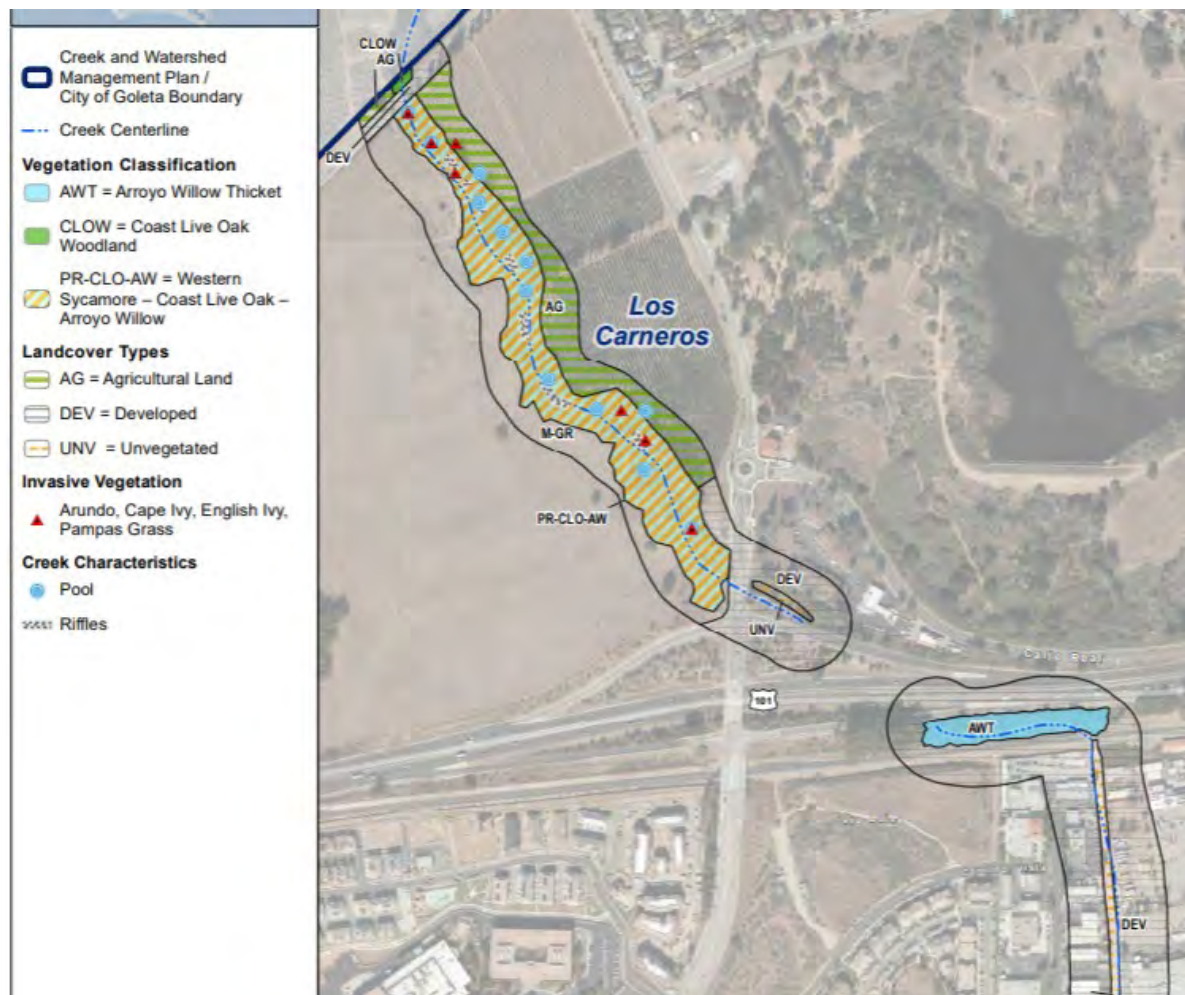
---

<sup>10</sup> Dudek 2017 study area includes area potentially used by white-tailed kites in the Goleta Valley (the City, Santa Barbara Airport, UCSB, and incorporated areas between Dos Pueblos Creek and the City of Santa Barbara). Refer to Dudek 2017, Figure 2.



reaches where perennial water, pools and intact native habitat present would provide suitable habitat for California red-legged frog. The CWMP states the upstream habitat “North of Los Carneros Road contains flowing water, riparian growth and understory, and clayey-silty sediments that have formed a cohesive channel bed with 2- to 3-foot deep pools as the dominant bedform, indicative of active geomorphic processes that can support habitat for aquatic species” and that “several perennial reaches are located within the upper and middle watershed, including one reach in the upstream section within city limits.” As stated in the Revised Draft EIR Appendix D (Page 21) and confirmed under the CWMP, suitable breeding or dispersal habitat is more than 500 feet upstream from the Project site.

Figure 9-4 Biological Resources along Los Carneros Creek



Source: *City of Goleta Creek and Watershed Management Plan* (City of Goleta 2020) (Figure 7d, Page 77)

The California red-legged frog occupies a fairly distinct habitat, combining both specific water (aquatic) and upland (terrestrial) components. California red-legged frog habitat includes nearly any area within 1-2 miles of a breeding site that stays moist and cool through the summer; this includes non-breeding aquatic habitat in pools of slow-moving streams, perennial or ephemeral ponds, and upland sheltering habitat such as rocks, small mammal burrows, logs, densely vegetated areas, and even, man-made structures (i.e. culverts, livestock troughs, spring-boxes, abandoned sheds) (USFWS 2021). In general, the upland habitat surrounding the aquatic breeding and non-breeding habitat (primary constituent elements



[PCEs] 1 and 2) would be limited to 1 mi (1.6 km), depending on surrounding landscape and dispersal barriers; this distance is used by USFWS in site assessment and survey guidelines (USFWS 2010). Upland refugia that provides shade, moisture, and cooler temperatures includes various vegetational types such as grassland, woodland, forest, wetland, or riparian areas that provide shelter, forage, and predator avoidance. Where the water source is not perennial or intermittent, California red-legged frog may enter a dormant state during summer or dry weather (estivate) and use small mammal burrows and moist leaf litter as refugia up to 100 feet from water in adjacent dense riparian vegetation (USFWS 2021). When autumn rains soak the dry landscape, adult California red-legged frogs move from dry season refuges to ponds and stream pools that can support breeding and successful tadpole development (USFWS 2010).

North of US 101 there is potential from dispersal through the grasslands present in Bishop Ranch over the 1 mile between Glen Annie (Tecolotito) Creek and Los Carneros Creek, and within Los Carneros Creek north of US 101. The off-site willow thicket in the study area is a remnant engineered channel adjacent to the freeway and railroad, between two lengthy concrete channels, water (when present) is degraded from urban run-off and pollutants (City of Goleta 2020, USFWS 2010)<sup>11</sup>. The off-site riparian vegetation and is separated from the Project site by the UPRR tracks and on-site by fill slope and chain link silt fencing presents a barrier. California red-legged frog are not anticipated to migrate to breeding habitat to the south since none is present; Los Carneros Creek is channelized and Los Carneros Wetland and Goleta Slough South are saline. Upland dispersal along the northern property line within a dry upland fill slope is unlikely. Much higher quality non-breeding dispersal, upland habitat is present in natural areas beginning 0.5 miles upstream where upland habitat connects to aquatic breeding habitat with grassland. While unlikely, if migrant individuals were to move through the Project site, it would be along the same route shown in Figure 9-4 (above) in riparian habitat north of the UPRR that would remain after Project implementation.

Based on the *Revised Guidance on Site Assessments and Field Surveys for the California Red-legged Frog*, habitat assessments for California red-legged frog must consider 1) the current and historic range the species, 2) known records onsite or within 1 mile of the site, 3) upland habitat (vegetation communities, land use, potential barriers) and aquatic habitat (e.g., ponds versus creeks, ephemeral versus perennial) within one mile of the project (USFWS 2005). Based on the results of reconnaissance-level surveys, suitable aquatic habitat (perennial, ponds) is not present within study area or south of US 101. Upland habitat south of US 101 is separated by upstream potential breeding habitat 0.4 mile upstream by significant barriers (i.e., US 101, UPRR tracks). As long as the EIR is prepared with sufficient degree of analysis to provide decision makers with the information needed to make an informed decision concerning the project's environmental impacts additional studies are not required.<sup>12</sup> For these reasons, upland dispersal or migration of California red-legged frog south of US 101, where the Project site is located, is not anticipated and California red-legged frog protocol surveys are not required.

---

<sup>11</sup> In addition to the pollutants identified in the CWMP, the 2010 USFWS recovery plans states that Goleta vicinity sediment and water samples show high levels of benzene, arsenic, and selenium from past oil industry activities.

<sup>12</sup> See, *Gray v County of Madera*, 167 Cal.App.4th 1099 (2008) (County not required to follow CDFW study protocols for California Tiger Salamander), 1124-25; *Association of Irrigated Residents v County of Madera*, 107 Cal.App.4th 1383, 1396 (2003) "CEQA does not require a lead agency to conduct every recommended test and perform all recommended research to evaluate the impacts of a proposed project. The fact that additional studies might be helpful does not mean that they are required."



The occurrence provided in adjacent to US 101 and UPPR at Bell Canyon and Tecolote Creeks approximately 7 miles west of the study area are both within watersheds with CWMP mapped intact riparian woodland upstream and are much less constrained by urban development. These 2008 and 2010 CNDDDB records were within cattails indicating the presence of a year-round water and potentially suitable breeding habitat.

Given the lack of suitable breeding or upland habitat south of US 101 and presence obstacles (US 101, UPPR, on-site embankment, and on-site fill slope) California red-legged frog movement from suitable habitat 0.50 miles upstream in Los Carneros Creek and from Glen Annie [Tecolotito] Creek is unlikely. As discussed in the Revised Draft EIR Section 4.3, Biological Resources, and Appendix D (Page 21) “upland areas within 100 feet of the creek include the off-site filled and compacted UPPR tracks, and areas on the Project site that have recently been graded and reseeded. Areas within 500 feet of the creek are not suitable upland transitional habitat because of ongoing disturbance”.

The Appendix D, Species Potential to Occur Table – Updated April 2021, has been updated in the Final EIR to reflect the CWMP California red-legged frog reference in the Los Carneros Creek Watershed.

<i>Rana draytonii</i> California red-legged frog	FT/None G2G3/S2S3 SSC	Lowlands and foothills in or near permanent sources of deep water with dense, shrubby or emergent riparian vegetation. Requires 11-20 weeks of permanent water for larval development. Must have access to estivation habitat.	None	Detected in the watershed as part of the CWMP surveys. Suitable <u>breeding or upland</u> habitat not present on site <u>or within the study area</u> . <u>The project is separated by upstream suitable upland and breeding habitat (0.5 miles north) by the UPPR tracks and US 101. Within the study area</u> Los Carneros creek is <u>intermittent and does not</u> provide a permanent water source. <del>No watershed CNDDDB records.</del>
---	-----------------------------	--	------	--

### 9.2.7 Master Response 7: Plant and Wildlife Surveys

The Revised Draft EIR Section 4.3, Biological Resources, states that no special-status plant species, resident special-status wildlife, or habitat were observed during the 2012, 2014, 2015, 2016, 2020, and 2021 reconnaissance-level survey, and no threatened or endangered species have a potential to occur within the project area due to lack of suitable habitat. Additionally, within the Los Carneros Creek SPA, 2019 and 2020 riparian bird surveys were conducted as part of the CWMP (Dudek 2020b). No special-status riparian birds were detected in the Project study area/SPA (CWMP Figure 7b), but habitat is present 0.50 miles north of the Project site where riparian habitat is present. Wildlife potential to occur is discussed in the Revised Draft EIR, including three years of wildlife camera surveys (Dudek 2014 and 2020). As discussed under Master Response 5, White-Tailed Kite, the presence of foraging white-tailed kites is acknowledged in the Revised Draft EIR.

CDFW *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities* states it is “appropriate to conduct a botanical survey” when 1) natural (or naturalized) vegetation occurs 2) special status plants have historically been identified, and 3) sensitive natural communities occur in areas with similar physical and biological properties as a project area (CDFW



2018) The CNDDDB does not include special status plants records on the project site. As discussed in the Revised Draft EIR, habitat on site has been historically subject to disturbance and is not natural. Surveys were completed recently during the appropriate blooming season (spring) in 2020 and 2021. While surveys within the last ten years were completed during years with precipitation below the mean average (below 18.37 inches), special status plant habitat such as undisturbed native vegetation is not present.

The surveys completed from 2012 to 2021 are consistent with City Environmental Thresholds and Guidelines Manual requirements under 6.C.2, *Evaluation of Resources on a Project Site*, 6.C.2, *Condition and Quality*, and Appendix A Section B, *Biological Survey Guidelines*. Special-status plant and wildlife habitat warranting further study was not observed. Therefore, protocol-level botanical and wildlife surveys are not required to adequately disclose and evaluate project impacts to special-status plant and wildlife species.

### 9.2.8 Master Response 8: Individual Trees

Comment 5.3 and 7.5 point out that an emergent arroyo willow is present north of the Cultural Resources Area in the mapped coyote brush scrub. Based on review of aerial photos, vegetation has been present in this area since 2005 but was removed when the internal road was last subject to grading between 2009 and 2011.

The City's threshold 6.D.(5) Individual Native Tree threshold provides:

- (1) *Description: Native specimen trees, regardless of size, are potentially- significant: and rare native trees [...] are significant. This significance evaluation is done on a case-by-case basis and considers tree size, numbers, location,,, relationship to habitat, etc.*
- (2) *Definition: Specimen trees are defined, for biological assessment purposes, as mature trees that are healthy and structurally-sound and have grown into the natural stature particular tot the species.*
- (3) *Native Tree Impact Assessment: in general, the loss of 10% or more of the trees of biological value on a project site is considered potentially-significant.*

The trees do not provide raptor nesting/perching or monarch butterfly habitat. The surrounding habitat is disturbed, and the hydrology of this area specifically has been affected by grading as recent as 2013. The removal of this tree would result in the loss of 10 percent or more of the trees on the Project site since it along with the arroyo willow on the southeastern corner are the only native trees on-site. However, replacement of these trees is included as a project- specific Condition of Approval; therefore, impacts would be less than significant.

As discussed in the Biological Assessment (Attachment D, page 30), there is currently no specific Tree Protection Plan or Ordinance adopted. Protection of trees is regulated by Section 4.0, CE 9 of the General Plan, the Goleta Municipal Code Appendix A Grading Ordinance Guidelines for Native Oak Tree Removal (GMC), and the Draft *State of the Goleta Urban Forest Report: An Urban Resource Assessment for the City of Goleta* (City of Goleta 2009). General Plan Policy CE 9.1 defines protected native trees as including oaks (*Quercus* spp.), walnut (*Juglans californica*), California sycamore, cottonwood (*Populus* spp.), willows (*Salix* spp.) and other native trees found in ESHAs (General Plan Policy CE 9: Protection of Native Woodlands). CE 9.4 and 9.5 specify "mature native" trees must be avoided and are subject to mitigation consistent with a future Tree Protection Ordinance.



While mitigation ratios have not been established since a Tree Protection Ordinance has not been adopted, on-site replacement at 10:1 is included in the City's Environmental Thresholds and Guidelines Manual (Appendix A, Section D, B.[n]). As required by the project-specific Conditions of Approval, the Landscape Plan has been revised to replace the three existing willow trees with 30 willow trees. Impacts to willow trees are less than significant based on the revised the Landscape Plan and adherence to the General Plan Policy 9 and project-specific Conditions of Approval.

Mature willows and eucalyptus tree present off-site, but would not be directly affected by the Project. No other mature native protected trees are present on-site or are proposed for removal. Impacts to the on-site willow trees would be less than significant with adherence to the General Plan Policy CE 9.1-9.5.

Section 4.3, Biological Resources, of the Final EIR has been clarified as follows to include the arroyo willow in the coyote brush scrub community:

Page 4.3-6

Coyote brush scrub at the site is a relatively open stand dominated by coyote brush with an understory of non-native grasses and forbs. The shrub layer consists almost exclusively of coyote brush, and biological diversity is low. California sagebrush is present, but at less than one percent of the total shrub cover. There are no other sage species present (i.e., species of the genera *Salvia* or *Artemisia*). Commonly-occurring species in the understory herbaceous layer are non-native and include sweet fennel (*Foeniculum vulgare*), pampas grass (*Cortaderia jubata*), short-podded mustard (*Hirschfeldia incana*), scarlet pimpernel (*Anagallis arvensis*), Harding grass (*Phalaris aquatica*), filarees (*Erodium* spp.), ripgut brome (*Bromus diandrus*), rattail fescue (*Vulpia myuros*), and soft chess (*Bromus hordeaceus*). An emergent arroyo willow (*Salix lasiolepis*) is present at the northern corner of the community adjacent to the internal access road.

In addition, the consistency analysis with Policy CE 9 of under Impact BIO-5 in Section 4.3, Biological Resources, was revised as follows in the Final EIR:

*Policy CE 9: Protection of Native Woodlands.* ~~Implementation of the Project would not result in protected tree removal or alteration. Three willow trees are present on site and would be replaced at a ratio of 10:1 as required by the Project-specific Conditions of Approval. No trees are present on-site, and~~ The off-site trees (e.g. eucalyptus, willow) between the UPRR tracks and U.S. 101 are located an adequate distance outside the development footprint and would not be affected by the Project. The Project is consistent with Policy CE 9.

### **9.2.9 Master Response 9: Range of Alternatives**

The range of alternatives examined in the Revised Draft EIR was selected consistent with the CEQA requirement that the EIR "describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project" (CEQA Guidelines §15126.6). As described in Section 4.3, *Biological Resources*, of the Revised Draft EIR, all potential impacts to biological resources evaluated in the Draft EIR were found to have no impact, would be less than significant, or could be mitigated to a less than significant level. As a result, the alternatives evaluated in the Revised Draft EIR were developed to address the significant and unavoidable impacts identified elsewhere in the Revised Draft EIR (refer to Section 4.4, *Cultural Resources*, Section 4.10, *Noise*, Section 4.14, *Utilities and Service Systems*, and Section 6.0, *Alternatives*). (See also *Tracy First v. City of Tracy* (2009) 177 Cal.App.4th 912,



928-929 [EIR not required to evaluate alternatives that would not reduce significant environmental impacts]). In addition, the Revised Draft EIR includes analysis of Alternative 3, the “Increased Railway/Freeway Buffer and Higher Sound Barrier” alternative, which would reconfigure the development to provide a larger buffer between the railroad and the U.S. 101, and increase the height of the masonry wall to reduce noise impacts.

### **9.3 RESPONSES TO PUBLIC TESTIMONY ON THE REVISED DRAFT EIR**

On June 16, 2021, the Environmental Hearing Officer conducted a public hearing regarding the Revised Draft EIR for the Heritage Ridge Residential Project. The hearing provided an opportunity for members of the public to receive a summary presentation of the project as well as the major findings of the Revised Draft EIR. The primary purpose of the public comment portion of the hearing was to receive input from interested parties regarding the adequacy of the Revised Draft EIR. There were five speakers at the hearing and one comment submitted by email. Table 9-1 summarizes the commenters who provided comments made via email and at the hearing. The City’s response to the comments follows the table.

**Table 9-1 Comments Received at the June 16, 2021 Public Hearing**

<b>Num.</b>	<b>Speaker/Affiliation</b>
1	Mary O’Gorman, Citizens Planning Association (via e-mail)
2	Rachel Kondor, Environment Defense Center
3	Brian Trautwein, Environmental Defense Center
4	George Relles, The Goodland Coalition
5	Marth Sadler, Santa Barbara Sierra Club
6	Scott Cooper, Santa Barbara Audubon Society

#### **Mary O-Gorman, Citizens Planning Association**

The commenter expressed support for a robust discussion of biological resources in the Revised Draft EIR, including Los Carneros creek, the creek setback, and environmentally sensitive habitat. The commenter supports a 100-foot creek setback and protection of ESHA. The commenter states the Revised Draft EIR must adequately assess the project’s impacts to the mapped environmentally sensitive habitat.

Refer to Master Response 1, Streamside Protection Area, and Master Response 2, Coastal Sage Scrub Environmentally Sensitive Habitat Area.

#### **RACHEL KONDOR, ENVIRONMENT DEFENSE CENTER**

The commenter stated that impacts to the creek setback, ESHA, and other biological resources should be adequately discussed in the Revised Draft EIR. The commenter stated that the Revised Draft EIR fails to disclose inconsistencies with City policies for the SPA and protection of ESHA. The commenter also stated that the range of alternatives is too narrow and fails to protect the SPA and ESHA.



The General Plan SPA and ESHA Conservation Element polices are discussed in Master Response 1, Streamside Protection Area. Refer to Response to Comment 5.19 for a more detailed discussion of the policy consistency analysis included in the EIR. Refer to Master Response 9 for a discussion of the range of range of alternatives examined in the Revised Draft EIR.

**BRIAN TRAUTWEIN, ENVIRONMENTAL DEFENSE CENTER**

The commenter stated that the Revised Draft EIR environmental baseline is inadequate because surveys were deficient, the upland habitat provides transitional habitat for California red-legged frog within 500 feet of Los Carneros Creek, the reduction of the SPA would result in a significant impact to the biotic quality of the creek, and the Coastal Scrub is environmentally sensitive habitat and should be preserved. The commenter states that the project should be redesigned to avoid the ESHA and maintain the 100-foot SPA setback.

Refer to Master Response 1 Streamside Protection Area, and Master Response 6, California Red-Legged Frog and Master Response 7, Plant and Wildlife Surveys.

**GEORGE RELLES, THE GOODLAND COALITION**

The commenter states the Revised Draft EIR should fully discuss biological resources, including Los Carneros Creek, creek setbacks, and ESHA. The commenter also states that the range of alternatives is too narrow and should include an alternative to maintain the 100-foot setback.

Revised Draft EIR Section 4.3 fully discusses biological resources. For specifics on SPA and ESHA refer to Master Response 1 Streamside Protection Area, and Master Response 2, Coastal Sage Scrub Environmentally Sensitive Habitat Area. Refer to Master Response 1 for a discussion of the range of range of alternatives examined in the Revised Draft EIR.

**Martha Sadler, Santa Barbara Sierra Club**

The commenter states that the Santa Barbara Sierra Club supports affordable housing, but natural and riparian corridors should be protected. The commenter states an alternative should be included that avoids the riparian buffer size and protects the environmentally sensitive areas.

Refer to Master Response 1 Streamside Protection Area, and Master Response 2, Coastal Sage Scrub Environmentally Sensitive Habitat Area.

**Scott Cooper, Santa Barbara Audubon Society**

The commenter does not support the project, because it impacts the ESHA and infringes into an SPA. The commenter expressed concern about impact to biological resources. The commenter states the Revised Draft EIR underestimated the value of the Project site for wildlife and birds. The commenter also stated an alternative should be included that avoids the ESHA and maintains a 100-foot SPA setback.

Refer to Master Response 1 Streamside Protection Area, and Master Response 2, Coastal Sage Scrub Environmentally Sensitive Habitat Area, and Master Response 7, Plant and Wildlife Surveys. Refer to Master Response 9 for a discussion of the range of range of alternatives examined in the Revised Draft EIR.



## 9.4 WRITTEN COMMENTS AND RESPONSES ON THE REVISED DRAFT EIR

Each written comment on the Revised Draft EIR that the City of Goleta received is listed in Table 9-2. Comment letters are included in Appendix N. The comment letters, included herein, were submitted by public agencies, local interest groups, private companies, and private citizens. Each comment letter has been numbered sequentially, and each separate issue raised by the commenter, if more than one, has also been assigned a number. Each comment letter is reproduced in its entirety with the issues of concern lettered in the right margin. Responses to these comments have been prepared to address the environmental concerns raised by the commenters and to indicate where and how the Revised Draft EIR addressed pertinent environmental issues. The responses to each comment identify first the number of the comment letter and then the number assigned to each issue (Response 2.1, for example, indicates that the response is for the first comment raised in Letter 2).

**Table 9-2 Written Comments Received on the Revised Draft EIR**

<b>Letter No. and Commenter</b>	<b>Page No.</b>
1. Barbara Massey; Private Citizen	9-27
2. Cecilia Brown; Private Citizen	9-29
3. Sam Cohen, Santa Ynez Band of Chumash Indians	9-30
4. Desmond Ho, Santa Barbara County Air Pollution Control District	9-34
5. Linda Krop, Rachel Kondor, and Brian Trautwein, Environmental Defense Center	9-43
6. Erin Wilson-Olgin, California Department of Fish and Wildlife	9-65
7. Lawrence E. Hunt, Hunt & Associates	9-68



*Letter 1*

**COMMENTER:** Barbara Massey, Private Citizen

**DATE:** May 25, 2021

Response 1.1

The commenter notes proposed changes to setbacks and buffers associated with the project and references the proposal to remove special status species as well as Environmentally Sensitive Habitat Area (ESHA) from General Plan Figures 3-5 and 4-1. The commenter also states that the project would reduce and eliminate the Streamside Protection Area (SPA) buffers in some places shown on General Plan Figure 4-1. The commenter states that these changes are not consistent with the General Plan policies.

Refer to Master Response 1, Streamside Protection Area, and Master Response 2, Coastal Sage Scrub Environmentally Sensitive Habitat Area.

Response 1.2

The commenter states that site plans with the Heritage Ridge property lines as well as the City's right-of-way and easement lines should be provided. The commenter states that the EIR should cover the property the developer owns, and states that the project evaluated in the EIR includes public right-of-way that the City indicated in 2019 would not be vacated to the developer. The commenter references the Streets & Highway Code Section 8324(b) regarding the requirements for vacating an easement. The commenter states that the right-of-way will be needed due to increasing traffic from UCSB, traffic from this and other nearby new development project, and for pedestrian and bike projects. The commenter states that if the right-of-way is needed for road work in the future, it can be obtained by eminent domain.

The Vesting Tentative Tract Maps, which depict the existing and proposed property lines and easement was added as Appendix L to the Final EIR. As discussed in Section 2.0, *Project Description*, of the Revised Draft EIR, the project site evaluated in the EIR encompasses 17.36 gross acres (16.05 net acres). This includes all areas required to facilitate execution of the project, including easement areas along South Los Carneros Road and for landscape purposes along South Los Carneros Road and Calle Koral. The requirements for the vacation of easements for the project will be considered in the development review process by the appropriate decision-makers. Additionally, the final Vesting Tentative Map would be reviewed and finalized before project implementation. This comment will be forwarded to the City of Goleta decision-makers for their consideration.

Response 1.3

The commenter states that the project is in the Scenic View Corridor along United States Highway 101 (U.S. 101) and a Scenic View Corridor along Los Carneros, and states that there are no photos or elevations of the buildings in the EIR and should have been included. The commenter references the policy consistency discussion for General Plan policies VH 1.1 and VH 1.4.

As noted in Section 1.0, *Introduction*, of the Revised Draft EIR, the most recent project changes only required updated discussion and analysis in the following issue areas: air quality, biological resources, greenhouse gas emissions, land use, noise, public services, transportation, and utilities and service systems. The





aesthetics/visual resources section of the EIR was not included in this recirculation. Accordingly, this comment pertains to information in the original Draft EIR.

As discussed in Section 4.1, *Aesthetics/Visual Resources*, in the original Draft EIR, the City's Visual and Historic Resources Element lists the following roadways near the Project site as local scenic corridors, which pass through, or provide visual access to, areas of high scenic value: U.S. 101, Los Carneros Road (between Cathedral Oaks and U.S. 101), including the Los Carneros U.S. 101 overpass; and Hollister Avenue. Although the Project site itself does not contain any designated scenic corridors, the EIR recognizes that the project is in the vicinity of the U.S. 101, Los Carneros Road, and Hollister Avenue scenic corridors. Figure 4.1-3 in the original Draft EIR shows the City-designated scenic views in all directions from the Los Carneros Road overpass of U.S. 101 and scenic views in the northern direction from the Los Carneros/Calle Koral intersection. In addition, Figure 4.1-4 in the original Draft EIR maps the locations of photo simulations from Los Carneros Road, with respect to the Project site. Figures 4.1-5, 4.1-6, and 4.1-7 in the original Draft EIR present photo simulations for the Project at the scenic northward view from South Los Carneros Road near Calle Koral, the scenic southward view from the South Los Carneros Road overpass of U.S. 101, and a similar scenic southward view from South Los Carneros Road just south of the overpass. These figures compare existing conditions to the proposed conditions with five years of growth in landscaping at each viewpoint.

#### Response 1.4

The commenter notes that there have been multiple versions of the EIR, and states a preference for an EIR with changes highlighted.

Section 1.0, Introduction, of the Revised Draft EIR provides details on the portions of the EIR that were revised from the original 2016 Draft to the 2021 Revised Draft. As detailed therein, new and revised Project details are reflected in Section 2.0, Project Description. Updated and supplemental discussion and analysis in the areas of air quality, biological resources, greenhouse gas emissions, land use, noise, public services, transportation, tribal cultural resources, and utilities and service systems have been added to Sections 4.2, 4.3, 4.4, 4.6, 4.9, 4.10, 4.11, 4.13, and 4.14, respectively, of Draft EIR. The cumulative setting/baseline has also been updated in Section 3.0, Related Projects. New sections (Sections 4.16 and 4.17) have been added to the Revised Draft EIR for recirculation for the energy and wildfire issue areas that were not included in the original Draft EIR. Section 6.0, Alternatives, was also updated to reflect the project description changes and changes to other sections of the Draft EIR. This recirculation also includes the relevant portions of appendices as originally contained in the Draft EIR and supplemented, as necessary, as a result of updates to the Project.

*Letter 2*

**COMMENTER:** Cecilia Brown, Private Citizen

**DATE:** May 23, 2021

Response 2.1

The commenter references the City's "Dark Sky" policy and states that it would be helpful to have information on the proposed lighting for the project and adherence to City standards. More specifically, the commenter states that it would be helpful to know if all the fixtures are going to be fully shielded and full cut off and that inclusion of a lighting plan in the EIR appendices would be informative.

As discussed in Section 2.0, Project Description, of the Revised Draft EIR, an Exterior Lighting Report was prepared by Alan Noelle Engineering on May 20, 2015 for the project, and describes in detail the proposed exterior lighting concepts and fixtures for the Project. LED lighting will be the primary source of exterior lighting, which would allow for very efficient production of light, directed light to only areas where it is needed, and use of less electricity than other lighting sources. The Project Description also provides details for each of the following lighting components included in the project: pole lighting; pedestrian level lighting; site structure lighting; visible building lighting; hidden building lighting; and park area lighting. Pursuant to Mitigation Measure AES-5, all exterior lighting will be required to be low intensity, low glare, and hooded to direct light downward and prevent spill-over onto the adjacent parcels. The locations of all exterior lighting fixtures, complete cut-sheets of all exterior lighting fixtures, and a photometric plan prepared by a registered professional engineer showing the extent of all light and glare emitted by all exterior lighting fixtures must be reviewed and approved by Design Review Board before the City issues a building permit for construction. This comment will be forwarded to the City of Goleta decision-makers for their consideration.



*Letter 3*

**COMMENTER:** Sam Cohen, Santa Ynez Band of Chumash Indians

**DATE:** June 10, 2021

Response 3.1

The commenter notes their review of the Revised and recirculated Draft EIR. Their comments on the EIR are addressed in the responses that follow.

Response 3.2

The commenter requests verification of when and where human remains were identified on the Project site.

As detailed in Section 4.4, Cultural and Tribal Cultural Resources, of the Revised Draft EIR, a prehistoric archaeological site CA-SBA-56 was originally documented in 1929 directly south of the Project area, within what is today the Willow Springs II site (Willow Springs Apartments). This site was characterized by very dense deposits of shellfish, stone tools, and grinding stones, and fragments of a human skeleton. Various archaeological investigations, beginning in the 1980s, have resulted in refinements of site boundaries, now known to extend into the Project area. Archaeological monitoring of grading operations in 1989 identified a “low density artifact scatter” (referred to as the Northern Midden Area), along the ridgeline north of the main residential midden area at CA-SBA-56, and within the Project site. A human bone fragment was collected in this area and reburied outside of the Project site. In 1990, an intensive ground surface collection conducted by Science Applications International Corporation (SAIC) and the ISERA Group revealed chipped stone flakes, ground stone, hammerstones, shellfish, animal bone, and ochre within the Project site. Extended Phase 1 excavations conducted by SAIC and the ISERA Group in 1996 identified intact archaeological deposits between six and 24 inches below the ground surface on the Project site, consistent in nature with those that had been collected on the surface. In addition, these excavations revealed an intact human burial. Upon identification of the burial, excavations in the vicinity were halted and the burial remains undisturbed at the location of discovery in the southern portion of the Project site.

The Extended Phase 1 excavations (SAIC and ISERA Group 1996) resulted in the extension of the CA-SBA-56 boundary northward along and beyond the elevated knoll in the Project site. The Northern Midden Area in CA-SBA-56 within the Project site constitutes a significant archaeological resource under the CEQA Guidelines. The boundary of the archaeological area and a 50-foot buffer have been fenced to ensure that no disturbance to the resource occurred during placement of stockpile soils on the Project site that occurred during a period from approximately 1998 to 2014. Cultural materials within the elevated knoll area have sufficient densities and varieties of prehistoric food and artifacts to address research questions about past Native American occupation of the area.

Response 3.3

The commenter requests verification of what subsurface testing has been done on the remainder of the site to rule out the entire site as a Chumash cemetery.



CA-SBA-56 is a relatively large site with a dense, central residential midden deposit, an area of intermediate artifact density (the Intermediate Midden Area) within the Project site, a low density artifact scatter (the Northern Midden Area) to the north, and peripheral low-lying areas. The Supplemental Phase 2 work completed by SAIC (1999) and Phase 3 Data Recovery Mitigation program completed by Dudek (Stone and Victorino, 2014) produced an understanding of the density and diversity of cultural materials recovered from these areas in CA-SBA-56. By collectively assembling all documented investigations, generalizations of deposit distributions and diversity in CA-SBA-56 were able to be determined. CA-SBA-56 has been subjected to a high level of testing and evaluation, resulting in a relatively large body of data. Synthesis of these investigation results have occurred in the Phase 3 Data Recovery Investigation for the Willow Springs II Project and in a forthcoming academic publication (Erlandson, et al. in press; Stone and Victorino, 2014). Due to the extensive nature of the data and reporting for the archaeological site within which human remains were found, archaeologists were able to determine the extent of the culturally sensitive area and rule out other portions of the site as a cemetery or other cultural heritage site.

#### Response 3.4

The commenter asks what COVID-19 extensions were provided to respond to the City's requests for consultation in 2021. The commenter references a March 22, 2021 letter with an April 15, 2021 deadline.

It is assumed this comment is in reference to the Executive Order N-54-20 and subsequent orders extending the provisions of Executive Order N-54-20, which were issued by Governor Newsom during the COVID-19 pandemic. These orders suspended tribal consultation timelines under Assembly Bill 52 (AB 52), including the 30-day timeline for tribes to request consultation after being notified of a project by a lead agency. As discussed in Section 4.4, Cultural and Tribal Cultural Resources, of the Revised Draft EIR, the provisions of AB 52 are applicable to projects that have a notice of preparation (NOP), a notice of negative declaration, or a notice of mitigated negative declaration filed on or after July 1, 2015. An NOP for the Project was distributed for the 30-day agency- and public-review period on April 6, 2015. Therefore, AB 52 consultation is not required for the Project and the tribal consultation timelines established in AB 52 are not applicable to the Project. However, the provisions of SB 18 are required for the project, and the City conducted consultation with Native American tribal representatives in 2016 and 2017 regarding CA-SBA-56. Although not required, as a courtesy, the City conducted additional tribal consultation in 2021. On March 22, 2021, the City sent letters to the local Native American contacts identified by the Native American Heritage Commission (NAHC) to notify them of the Project design changes. No requests for consultation were received by any tribes before circulation of the Revised Draft EIR on May 14, 2021, which provided 53 days for the tribes to respond. Sam Cohen of the Santa Ynez Band of Chumash Indians submitted an email with questions and comments on June 10, 2021, after the EIR was circulated. Responses to Mr. Cohen's comments are provided above. No consultation request was made by Mr. Cohen or other members of the tribe.

#### Response 3.5

The commenter asks what actions are being taken to avoid cultural resources as the preferred method of mitigation and to avoid Data Recovery as the least preferred method of mitigation.

As discussed under Impact CR-1 of the Revised Draft EIR, the Project has been designed to avoid physical disturbance of the Northern Midden Area. The two-acre park is proposed to be placed above the Northern Midden Area. The park improvements would be placed on top of fill soils and would not require disturbance of the existing ground surface. All proposed residential buildings and drainage improvements



would be placed outside of the Northern Midden Area. The Project would not have direct impacts on significant archaeological resources at the Northern Midden Area. However, placement of overlying fill would preclude the opportunity for future investigations to determine the way in which the portions of CA-SBA-56 to be buried are related chronologically and functionally to the Intermediate Midden Areas to the south. Mitigation Measures CR-1(a) through CR-1(f) would be required to mitigate the indirect impacts to CA-SBA-56 through implementation of a limited Phase 3 Data Recovery investigation to obtain a systematic sample of prehistoric remains from the Northern Midden Area. The physical extent of this investigation would be limited by the lower density of cultural remains in this area, relative to that of the central midden at CA-SBA-56, and by the availability of previous research from the Phase 3 Data Recovery Program for the Willow Springs II project immediately to the south. Additionally, Mitigation Measures CR-2(a) and CR-2(b) would be required to avoid impacts to the heritage value of CA-SBA-56 through landscape plan review and provision of a Chumash heritage monument.

### Response 3.6

The commenter asks what cumulative impact analysis has been undertaken to slow down the destructions of the last remaining Chumash Heritage sites in the Goleta Slough.

The discussion of cumulative impacts in Section 4.4, Cultural and Tribal Cultural Resources, of the Revised Draft EIR, recognizes that cumulative development in the Goleta Valley would continue to disturb areas that may potentially contain cultural resources, including archaeological resources. This discussion also recognizes that all potential development sites in the City are considered sensitive for archaeological resources due to their location adjacent to the Goleta Slough. Existing City policies and regulations would protect any unknown resources that might be uncovered in the course of project development. City policies require protection of cultural resources through appropriate site design, monitoring of grading activities in archaeologically sensitive areas, avoidance or/ or capping of identified resources, and coordination with the Chumash consultant(s). While there is the potential for significant cumulative impacts to cultural resources within the Goleta Slough area, it is anticipated that potential impacts associated with individual development projects will be addressed on a case-by-case basis in accordance with City requirements. However, CA-SBA-56 has been subject to previous impacts resulting from the development of the Willow Springs I and Willow Springs II projects. While environmental review of these previous projects determined that impacts to this resource were reduced to a less than significance level through mitigation, the cumulative impact to CA-SBA-56 as a whole is potentially significant. Pursuant to CEQA Guidelines § 15355, cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time. The Project's impacts to tribal cultural resources related to CA-SB-56 would be reduced to less than significant with implementation of Mitigation Measures CR-1(a) through CR-1(f). Nevertheless, the project's contribution to cumulative cultural resource impacts would remain significant and unavoidable.

### Response 3.7

The commenter asks what field testing of the site has been done after 1996, and if Goleta even existed then. The commenter notes that the practice of archaeology and the City of Goleta have evolved substantially since that time.

As discussed in Section 4.4, Cultural and Tribal Cultural Resources, of the Revised Draft EIR, the analysis in the Revised Draft EIR is based primarily on an *Archaeological Resources Assessment: North Willow Springs Project, City of Goleta, California* prepared by Dudek (May 2014) and on a peer review of this report by



Rincon Consultants, Inc. in May 2015. This report includes discussion of numerous archaeological investigations completed adjacent to the Project site, including two investigations completed after 1996: a Supplemental Phase 2 investigation in 1999 and a Phase 3 Data Recovery Mitigation program in 2014. The City of Goleta was incorporated in 2002. While the City is still fairly young, the City recognizes the importance and evolution of archeological practices and the City's policies and practices support this. This comment will be forwarded to the City of Goleta decision-makers for their consideration.

### Response 3.8

The commenter states that recirculation of the document restarts the AB 52 process, and the Santa Ynez Band of Chumash Indians demands AB 52 consultation to preserve their rights. The commenter asks how they may see all of the archaeological reports on file.

AB 52 was enacted on July 1, 2015 and expands CEQA by establishing a formal consultation process for California tribes within the CEQA process. The bill specifies that any project that may affect or cause a substantial adverse change in the significance of a tribal cultural resource would require a lead agency to "begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project." The provisions of AB 52 are applicable to projects that have a NOP, a notice of negative declaration, or a notice of mitigated negative declaration filed on or after July 1, 2015. An NOP for the Project was distributed for the 30-day agency- and public-review period on April 6, 2015, prior to AB 52 taking effect. Therefore, the AB 52 consultation is not required for the Project. However, as a courtesy, the City conducted additional tribal consultation in 2021. The City of Goleta sent letters to the local Native American contacts identified by the Native American Heritage Commission (NAHC) notifying them of the Project, as recently revised, on March 22, 2021. In the letter, the City requested that the tribes respond by April 15, 2021 if they would like an additional opportunity to consult on the revised Project. The City did not receive any requests for additional consultation. The archeological reports for the Project site are confidential and cannot be provided at this time. These comments will be forwarded to the City of Goleta decision-makers for their consideration.



Letter 4

**COMMENTER:** Desmond Ho, Santa Barbara County Air Pollution Control District

**DATE:** June 24, 2021

Response 4.1

This comment is introductory and summarizes the proposed Project. The City acknowledges the comment. The comment does address the adequacy of the EIR and no further response is required.

Response 4.2

The commenter notes the proximity of the project site to the Union Pacific railroad tracks and U.S. 101 and recommends that sensitive land uses should not be sited within 500 feet of a freeway. The commenter also states that the best way to protect human health is to retain a distance of 500 feet or greater between the sensitive land use and freeway. This comment provides background information and does not address the adequacy of the EIR. Regardless, impacts of the environment on a project (as opposed to impacts of a project on the environment) are beyond the scope of required CEQA review. (*Ballona Wetlands Land Trust v. City of Los Angeles* [2011] 201 Cal.App.4th 455, 473 [*Ballona*]). The California Supreme Court has held that “CEQA does not generally require an agency to consider the effects of existing environmental conditions on a Proposed Project’s future users or residents.” (*California Building Industry Assn. v. Bay Area Air Quality Management Dist.* (2015) 62 Cal.4th 369, 392; see also *Mission Bay Alliance v. Office of Community Investment & Infrastructure* (2016) 6 Cal.App.5th 160, 197 [“identifying the effects on the project and its users of locating the project in a particular environmental setting is neither consistent with CEQA’s legislative purpose nor required by the CEQA statutes”], quoting *Ballona, supra*, 201 Cal.App.4th at p. 474). Regardless, a Health Risk Assessment (HRA) was prepared and summarized in the Draft EIR for informational purposes.

The recommendation against siting residences within 500 feet of U.S. 101 will be forwarded to the City of Goleta decision-makers for consideration. No further response is required.

Response 4.3

The commenter recommends inclusion of project design features to minimize exposure to roadway-related pollutants. Project design features recommended include maximizing the distance between the roadway and sensitive receptors, locating air intake at the non-roadway facing sides of buildings, and ensuring that windows nearest to the roadway do not open. The commenter also recommended mitigation measures that required installation of mechanical ventilation systems with filtration and a physical barrier between roadway sources and receptors.

A refined HRA was prepared in 2016 to estimate the carcinogenic and non-carcinogenic health risk impacts from the Union Pacific railroad tracks and U.S. 101 upon the new sensitive receptors. Although an operational HRA for the project’s on-site sensitive receptors is not required under CEQA pursuant to the judicial decisions in *California Building Industry Assn. v. Bay Area Air Quality Management Dist.* (2015) 62 Cal.4th 369, 392, an HRA was prepared and summarized in the Revised Draft EIR for informational



purposes. Although not required for CEQA purposes, the following measure was included as a project-specific condition of approval to reduce carcinogenic risk. The condition of approval is as follows:

**Indoor Air Pollution.** The mitigation actions listed below apply to all new residential units on the Project site:

- Forced air mechanical ventilation with fresh air filtration using filter screens on outside air intake ducts must be provided for all residential units proposed on the site. The filter screens must have a minimum MERV 13 rating, capable of removing at least 90% of the particulate matter including fine particulate matter (PM<2.5 micron). Air intakes must be located on the side of the building facing away from U.S. 101 and windows facing U.S. 101 cannot be capable of opening unless warranted to comply with California Building Code requirements for emergency egress.
- For individual residential units with separate HVAC systems, a brochure notifying the future residents of the need for maintaining the filter screens and keeping windows closed to ensure adequate fresh air filtration must be prepared and provided at the time of lease signing. In addition, a notice of the diesel particulates risk hazard and the need for screen maintenance must be recorded in the property title and included with lease agreements.
- Install high efficiency ceiling fans.
- Windows and doors must be fully weatherproofed with caulking and weather-stripping that is rated to last at least 20 years.

The condition of approval includes several project-design features and control measures that the commenter recommends. Filtration rated at MERV 13 or higher would be installed in all residential buildings, air intakes would be located away from roadway, and windows facing the roadway would not be capable of opening unless required by California Building Code requirements. Furthermore, doors and windows would be sealed with weatherproofing material and a high efficiency ceiling fan would be provided in all residences to reduce exposure from particulate matter. The condition of approval would be sufficient to reduce carcinogenic risks from the Union Pacific Rail Line and US Highway 101. In addition, the condition of approval aligns with recommendations provided by the commenter. No revisions to the Revised Draft EIR, mitigation measures, or conditions of approval are necessary in response to this comment.

#### Response 4.4

The commenter recommends including 2020 ambient air quality data from the Santa Barbara Air Pollution Control District's (SBCAPCD) website in Table 4.2-2 in Section 4.2, *Air Quality*, of the Revised Draft EIR.

The SBCAPCD website presents a summary of ambient air quality data for the entirety of Santa Barbara County for 2020. As stated in Section 4.2.2(c) in Section 4.2, *Air Quality*, of the Revised Draft EIR, Table 4.2-2 presents a summary of ambient air quality data specifically for the local project site vicinity, as represented by the monitoring data collected at the Goleta-Fairview monitoring station located at 380 North Fairview Avenue in Goleta. Therefore, including the SBCAPCD's countywide ambient air quality summary for 2020 in this table would not provide an accurate representation of local air quality conditions in 2020 as compared to conditions in 2017 through 2019. Nevertheless, to address the spirit of the commenter's concern, ambient air quality from 2020 at the Goleta-Fairview monitoring station as





reported by the United States Environmental Protection Agency has been added to Table 4.2-2 in Section 4.2, *Air Quality*, of the Revised Draft EIR as shown below.

As shown in Table 4.2-2, between 2017 and ~~2019~~ 2020, the state one-hour ozone standard was exceeded once in 2017. The state PM<sub>10</sub> standard was exceeded 12 times in 2017, four times in 2018, ~~and~~ twice in 2019, and 10 times in 2020, and the federal PM<sub>10</sub> standard was exceeded once in 2017. Additionally, the federal PM<sub>2.5</sub> standard was exceeded nine times in 2017, ~~and~~ once in 2018, and seven times in 2020. The standards for ozone (8-hour), CO, and NO<sub>2</sub> have not been exceeded in the last ~~three~~ four years.

**Table 4.2-2  
 Ambient Air Quality Data**

Pollutant	2017	2018	2019	<u>2020<sup>2</sup></u>
Ozone, ppm - Worst Hour	0.100	0.077	0.072	<u>0.084</u>
Number of days of State exceedances (>0.09 ppm)	1	0	0	<u>0</u>
Ozone, ppm – Worst 8 Hours	0.068	0.056	0.062	<u>0.067</u>
Number of days of Federal/State exceedances (>0.070 ppm)	0	0	0	<u>0</u>
Carbon Monoxide, ppm - Worst 8 Hours <sup>1</sup>	1.9	0.9	*	*
Number of days of State/Federal exceedances (>9.0 ppm)	0	0	*	*
Nitrogen Dioxide, ppm - Worst Hour	0.035	0.029	0.027	*
Number of days of State exceedances (>0.18 ppm)	0	0	0	*
Particulate Matter <10 microns, µg/m <sup>3</sup> - Worst 24 Hours	189.0	72.5	63.3	<u>83</u>
Number of samples of State exceedances (>50 µg/m <sup>3</sup> )	12	4	2	<u>10</u>
Number of samples of Federal exceedances (>150 µg/m <sup>3</sup> )	1	0	0	<u>0</u>
Particulate Matter <2.5 microns, µg/m <sup>3</sup> - Worst 24 Hours	130.5	35.6	26.3	<u>61.2</u>
Number of days Federal exceedances (>35 µg/m <sup>3</sup> )	9	1	0	<u>7</u>

<sup>1</sup> CO data from the 380 North Fairview Avenue USEPA monitoring station in Goleta. Accessed February 2021. Retrieved from <https://www.epa.gov/outdoor-air-quality-data/monitor-values-report>.

<sup>2</sup> 2020 ambient air quality data from the 380 North Fairview Avenue USEPA monitoring station in Goleta. Accessed July 2021. Retrieved from <https://www.epa.gov/outdoor-air-quality-data/monitor-values-report> and <https://www.epa.gov/outdoor-air-quality-data/download-daily-data>.

\* There was no data available for the closest monitoring station.

ppm = parts per million; µg/m<sup>3</sup> = micrograms per cubic meter  
 Goleta-Fairview Station

Source: CARB Air Quality Data Statistics. Top four Summary. Accessed February 2021. Retrieved from: <http://www.arb.ca.gov/adam/topfour/topfour1.php>

#### Response 4.5

The commenter requests that the traffic count volumes used in the 2016 HRA be updated. The commenter provides the 2019 annual average daily traffic (AADT) for U.S. 101, which averaged to 73,150 vehicles.

The 2016 HRA used an AADT of 65,800 vehicles with truck traffic (3-axles or greater) comprising approximately 9 percent of the AADT based on the California Department of Transportation (Caltrans) *2014 Annual Average Daily Traffic Volumes*. The emission rates would increase slightly with the updated AADT, but the impact conclusion would remain the same with the residential onsite cancer risks continuing to exceed the SBCACPD threshold of 10 per million without measures to reduce health risk. However, the condition of approval detailed in Response 4.2, above, would ensure that the residential



onsite cancer risks do not exceed the SBCACPD thresholds. Please, refer to Response 4.6 for additional details regarding why a revised HRA is not necessary. No revisions to the Revised Draft EIR are necessary in response to this comment.

#### Response 4.6

The commenter states that the HRA should be performed in accordance with the District's current *Modeling Guidelines for Health Risk Assessments* using the HARP 2 program, which includes early life exposures to toxic substances.

HARP 2 incorporates the early life exposure adjustments presented in the Office of Environmental Health and Hazard Assessment's (OEHHA) 2015 *Air Toxics Hotspots Program Guidance Manual for Preparation of Health Risk Assessments* regardless of purported mechanism of action; whereas, HARP (version 1.4f) does not include the early life exposure adjustments. The USEPA guidance, *Supplemental Guidance for Assessing Susceptibility from Early-Life Exposure to Carcinogens*, (2005) recommends that adjustment factors should only be considered when carcinogens act "through the mutagenic mode of action." The USEPA has identified 19 compounds that elicit a mutagenic mode of action for carcinogenesis. None of the gaseous compounds considered in the HRA elicit a mutagenic mode of action; therefore, early life exposure adjustments were not considered in the analysis. For diesel particulates, polycyclic aromatic hydrocarbons (PAHs) and their derivatives, which are known to exhibit a mutagenic mode of action, comprise less than 1% of the exhaust particulate mass. To date, the USEPA reports that whole diesel engine exhaust has not been shown to elicit a mutagenic mode of action. Therefore, consistent with the guidance provided by USEPA, consideration of early life exposure adjustments is not necessary for the HRA and use of HARP (version 1.4f) is appropriate. In addition, since diesel particulate matter (DPM) is not mutagenic, the age sensitivity factors would not be incorporated in a revised re-model with HARP 2 and results would be similar because the California Air Resource and OEHHA approved risk assessment health values for DPM, acrolein, acetaldehyde, formaldehyde, benzene, and 1,3-butadiene have not changed since the 2016 HRA.

Furthermore, the California Supreme Court has held that agencies are not required to review the effects of the environments on the residents or users of a project and that the core requirement of CEQA is that an agency evaluate a project's impact on the environment. (*California Building Industry Association v. Bay Area Air Quality Management District* (2015) 62 Cal.4th 369, 386). The exception would be in the case where the project exacerbates the existing environmental hazards or conditions, then project impacts on the environment would be appropriate. The project would not exacerbate existing environmental conditions on U.S. 101 to a level that would require evaluation; thus, the exception would not apply. As stated in Section 4.2 *Air Quality* under the Health Risk Assessment Methodology, the inclusion of the HRA was provided for informational purposes pursuant to the judicial decision aforementioned. Preparing and including the results of the HRA in the EIR is not a CEQA requirement and was done as a good-faith effort to disclose additional information to the City of Goleta, who is the lead agency. The City of Goleta has already reviewed and approved the 2016 HRA.

Moreover, the First Appellate District has held that " while CEQA cannot be used by a lead agency to require a developer or other agency to obtain an EIR or implement mitigation measures solely because the occupants or users of a new project would be subjected to the levels of emissions specified, an agency may do so voluntarily on its own project and may use the Receptor Thresholds for guidance." (*California Building Industry Association v. Bay Area Air Quality Management District* (2016) 2 Cal.App.5th 1067, 1083). The SBCAPCD is not a lead agency for the project. The operation of the project would not require



a permit from SBCAPCD that may trigger the need for further evaluation. Therefore, the previously prepared 2016 HRA would remain sufficient since the methodology would not change. No further analysis of the existing environment effects upon the proposed residences of the project is required.

Response 4.7

The commenter requests inclusion of Santa Barbara County Association of Governments’ (SBCAG) regional growth forecast data for years 2025 and 2030 in the evaluation of project impacts related to air quality management plan consistency under Impact AQ-1 in Section 4.2, *Air Quality*.

Impact AQ-1 in Section 4.2, *Air Quality*, of the Revised Draft EIR has been revised as shown below to include SBCAG Regional Growth Forecast data for year 2030. Data for year 2025 was not added to the analysis because, as stated in Section 2.6 in Section 2, *Project Description*, of the Revised Draft EIR, project construction is anticipated to require approximately three years to complete. Assuming conservatively that the Project is fully entitled by January 2022, the Project would not be fully built-out until December 2024 at the earliest and likely would not be fully occupied until 2025 or later. Therefore, it is not appropriate to compare the citywide plus project population to the regional growth forecast for year 2025 because the Project likely would not be fully occupied at that time.

**Table 4.2-3**  
**SBCAG Population and Housing Projections for Goleta**

Year	Population Forecast	Households <sup>1</sup>
2017	31,900	11,411
2020	32,200	11,500
<u>2030</u>	<u>33,100</u>	<u>12,200</u>
2035	33,700	12,600
2040	34,300	13,100

Source: SBCAG Regional Growth Forecast, January 2019.

<sup>1</sup> Sub-regional Household forecast is calculated by dividing population growth by census 2010 household size.

The Project involves developing 332 residential rental units, which would include 104 senior and family affordable units and 228 market-rate apartment units. The current population of Goleta is 32,223 (DOF, 2020). The population for the market-rate housing was determined based on the latest persons-per-household figure from the Department of Finance (2.72 persons per dwelling unit), the population for the family affordable housing was determined based on Housing Authority of the County of Santa Barbara data (2.58 persons per dwelling unit), and the population for the senior affordable housing was determined based on the Heritage Ridge Occupant/Unit Ratio Analysis study conducted by The Towbes Group, Inc. (2014) (1.36 persons per senior dwelling unit). Development of the Project would add an estimated 839 residents ([228 dwelling units x 2.72 people/dwelling unit] + [63 dwelling units x 2.58 people/dwelling unit] + [41 dwelling units x 1.36 people/dwelling unit]), thus increasing the City’s population to 33,062. SBCAG’s 2050 growth forecast projects Goleta’s population to be approximately 33,100 in 2030, 33,700 in 2035, and 34,300 in 2040 (SBCAG, 2019). The Project would result in a population of 33,062 in the City (current 32,223 City population plus 839 project residents). This would not exceed SBCAG’s 2030, 2035, or 2040 growth forecast for the City. The Project is not expected to be fully operational and occupied until after 2024 2025 or later. Consequently, the Project was compared to the 2030,



2035, and 2040 forecasts. Population generated by the Project would not cause an exceedance of SBCAG's 2030 growth forecast of 33,100, 2035 growth forecast of 33,700, or the 2040 growth forecast of 34,300 for the City of Goleta (SBCAG, 2019). Development of the Project would therefore be consistent with the population forecasts contained in the ~~2013 CAP~~ 2019 Ozone Plan.

#### Response 4.8

The commenter recommends that the HRA be revised using the District's current *Modeling Guidelines for Health Risk Assessments*.

Please see response to comment 4.6 for a detailed response related to this issue.

#### Response 4.9

The commenter states that the following sentence in the Draft EIR may downplay the HRA modeling results for the project and recommends removing it from the Draft EIR: "To provide context for this level of additional risk, the American Cancer Society (2007) reports that in the U.S., men have a one in two chance (0.5 probability) and women about one in three chance (0.3) probability of developing cancer during a lifetime, with nearly one in four deaths (0.23) in the U.S. attributed to cancer."

The Draft EIR includes existing background cancer risk estimates from the American Cancer Society in order to provide context to the public and decision makers. The statistics are not intended to downplay the results of the HRA, but instead to convey existing background risk levels to which the additional risk resulting from proximity to U.S. 101 would be added. No revisions to the Revised Draft EIR are necessary in response to this comment.

#### Response 4.10

The commenter requests more detail be provided to describe how the mitigated health risk values shown in Table 4.2-9 were derived and to explain the efficiency of Mitigation Measure AQ-4.

Draft EIR Mitigation Measure AQ-4 (Indoor Air Pollution) required installation of forced air mechanical ventilation with fresh air filtration on all residential units. In the Final EIR, this measure was revised to a condition of approval because it is no longer required for CEQA purposes. Additions to the text of Section 4.2, *Air Quality*, of the Revised Draft EIR are as follows; however, no changes to the GHG emissions modeling are necessary:

Compliance with the conditions of approval would provide for the removal of particulates before they enter the indoor environment, thereby reducing the overall exposure of individual residents. With this reduction in exposure to TACs, the combined exposure from time spent both indoors and outdoors would be below SBCAPCD recommended health risk criteria, as shown in Table 4.2-9. The reduced carcinogenic health risk values in Table 4.2-9 only account for the particulate matter reductions from the proposed filtration devices. The MERV 13 rated filter screens would reduce residential cancer risk by approximately 83 percent. Resulting health risk would be below SBCAPCD recommended health risk criteria. Refer to Appendix C for complete model methodology.



#### Response 4.11

The commenter states that the air filtration only reduces indoor residential exposure to toxic air containments and residents would spend time outdoors in common open spaces. The commenter recommends that project design and/or mitigation measures be incorporated to address outdoor exposure risk.

As described in the 2016 HRA, the methodology for cancer risk does assumed outdoor exposure at 2.3 hours per day, based on the USEPA's *Exposure Factors Handbook*. Thus, the cancer risks account for the overall exposure to toxic air containments in both indoor and outdoor environments. The project will have some project design features incorporated in residential outdoor living spaces, as described in Section 4.10 *Noise*. However, to reiterate a portion of response to comment 4.6, project design features or mitigation measures cannot be required to reduce existing environmental impacts that would affect the Project's residents. The recommendation for measures to reduce outdoor toxic air containment exposure for project residents will be forwarded to the City of Goleta decision-makers for consideration. No revisions to the Revised Draft EIR are necessary in response to this comment.

#### Response 4.12

The commenter notes that the methodology text in Section 4.6, *Greenhouse Gas Emissions*, of the Revised Draft EIR states that 100 percent of electricity usage for new residential uses under three stories will be supplied by renewable power, but that the GHG emissions modeling for the Project assumes electricity usage for all project development, including three-story buildings, will be supplied by 100 percent renewable power. The commenter requests clarification and correction of this discrepancy.

The text in Section 4.6.2(a) in Section 4.6, *Greenhouse Gas Emissions*, of the Revised Draft EIR incorrectly characterized the application of the requirements of Section 150.1(b)14 of the 2019 Building Energy Efficiency Standards. The requirement for new residential uses to install photovoltaic (PV) solar panels that generate an amount of electricity equal to expected electricity usage applies to all low-rise residential buildings, which by definition in the 2019 Building Energy Efficiency Standards includes multi-family residential buildings with three habitable stories or less. The text of Section 4.6, *Greenhouse Gas Emissions*, of the Revised Draft EIR has been corrected as follows; however, no changes to the GHG emissions modeling are necessary:

On-Site Operational Emissions. Operational emissions from energy use (electricity and natural gas use) for the Project site were estimated using the California Emissions Estimator Model (CalEEMod) computer program, version 2016.3.2 (see Appendix B for calculations). In accordance with Section 150.1(b)14 of the 2019 Building Energy Efficiency Standards, all new residential uses ~~under~~ with three habitable stories or less must install photovoltaic (PV) solar panels that generate an amount of electricity equal to expected electricity usage. Therefore, it was assumed that 100 percent of electricity usage for the proposed low-rise residential uses would be supplied by PV solar panels (see Appendix B).

As shown in Table 2-2 in Section 2, *Project Description*, all proposed buildings would be three stories or less in height and would therefore be subject to the requirements of Section 150.1(b)14 of the 2019 Building Energy Efficiency Standards, which are mandated by State law. It is not anticipated that any of the exceptions to Section 150.1(b)14 would apply to the proposed Project; therefore, it is reasonable to assume that these requirements would be implemented as part of the proposed Project, as required by State law.



Response 4.13

The commenter notes that the GHG emission estimates in Table 4.6-4 in Section 4.6, *Greenhouse Gas Emissions*, of the Revised Draft EIR do not match the emissions estimates reported in the CalEEMod output files in Appendix B of the Revised Draft EIR and requests an explanation for and correction of this discrepancy.

The GHG emission estimates in Table 4.6-4 in Section 4.6, *Greenhouse Gas Emissions*, of the Revised Draft EIR were reviewed, and no discrepancy was identified between Table 4.6-4 and the emissions estimates in Appendix B of the Revised Draft EIR. The Project’s construction-related GHG emissions in Table 4.6-4 are based on those reported in Table 4.6-3, which include emissions estimates sourced from Section 2.1 (Overall Construction – Unmitigated Construction) of the fourth, fifth, and sixth sets of CalEEMod report files in Appendix B, which are titled “Heritage Ridge - Preconstruction Export Scenario 1 (9CY Trucks) – AQ,” “Heritage Ridge - Preconstruction Export Scenario 1 (20CY Trucks) – AQ,” and “Heritage Ridge Residential Project – GHG.” The Project’s operational GHG emissions in Table 4.6-4 are based on those reported in Section 2.2 (Overall Operational – Mitigated Operational) of the sixth set of CalEEMod output files in Appendix B, which is titled “Heritage Ridge Residential Project – GHG.”<sup>13</sup> A screenshot of this table is provided below as Figure 9-5 for convenience. In addition, please refer to the page of Appendix B titled “N2O Operational GHG Emission Mobile Calculations” for the estimate of the Project’s mobile source nitrous oxide emissions. No revisions to the Revised Draft EIR are necessary in response to this comment.

**FIGURE 9-5: Operational Greenhouse Gas Emissions**

2.2 Overall Operational  
Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	1.5229	0.0284	2.4636	1.3000e-004		0.0137	0.0137		0.0137	0.0137	0.0000	4.0365	4.0365	3.8600e-003	0.0000	4.1330
Energy	0.0214	0.1625	0.0777	1.1600e-003		0.0148	0.0148		0.0148	0.0148	0.0000	211.3438	211.3438	4.0500e-003	3.8700e-003	212.5697
Mobile	0.3879	1.5784	3.7749	0.0133	1.5430	9.3400e-003	1.5524	0.4138	8.6900e-003	0.4224	0.0000	1,238.9576	1,238.9576	0.0586	0.0000	1,240.4228
Waste						0.0000	0.0000		0.0000	0.0000	31.7497	0.0000	31.7497	1.5744	0.0000	71.1087
Water						0.0000	0.0000		0.0000	0.0000	6.1225	24.0299	30.1524	0.0221	0.0135	34.7331
<b>Total</b>	<b>1.9321</b>	<b>1.7893</b>	<b>6.3162</b>	<b>0.0146</b>	<b>1.5430</b>	<b>0.0378</b>	<b>1.5808</b>	<b>0.4138</b>	<b>0.0371</b>	<b>0.4509</b>	<b>37.8722</b>	<b>1,478.3677</b>	<b>1,516.2399</b>	<b>1.6630</b>	<b>0.0174</b>	<b>1,562.9973</b>

Source: Appendix B

Response 4.14

The commenter notes that the CalEEMod output files in Appendix B of the Revised Draft EIR show that the project proposes various design features to reduce GHG emissions, including supplying 100 percent of electricity usage from on-site solar PV panels, reducing indoor water use by 20 percent, limiting parking supply, and increasing transit accessibility. The commenter requests inclusion of these design features in the project description to ensure implementation and enforcement as well as inclusion of these design features as conditions of approval for the project with requirements for tracking and reporting.

<sup>13</sup> “Mitigated” is a term of art for the CalEEMod modeling output that includes project design features and is not equivalent to the implementation of mitigation measures for the purposes of the CEQA analysis.



As stated in the revised text of Section 4.6.2(a) in Section 4.6, *Greenhouse Gas Emissions* (see Response 4.12), the assumption that the Project would supply 100 percent of electricity usage is not a project design feature but rather project compliance with State law under the 2019 Building Energy Efficiency Standards. Similarly, as stated in Section 4.6.2(a) in Section 4.6, *Greenhouse Gas Emissions*, the assumption that the Project would reduce baseline indoor water use by 20 percent is not a project design feature but rather project compliance with State law under the California Green Building Standards Code (CALGreen), which requires a 20 percent increase in indoor water use efficiency beyond baseline efficiency. CalEEMod does not incorporate water use reductions mandated by CALGreen; therefore, this reduction was added to the modeling. It is not necessary to include these features as conditions of approval for the Project because their implementation is already required by State law and would be enforced through the City's building permit process.

As stated in Section 2, *Project Description*, of the Revised Draft EIR, the quantity of parking proposed for the project is less than that required by the City's zoning ordinance because the Project qualifies for prescriptive parking rights under the State Density Bonus Law. Therefore, as stated in Section 4.6, *Greenhouse Gas Emissions*, of the Revised Draft EIR, this project feature was included in the emissions modeling as limited parking supply. The GHG emissions modeling for the Revised Draft EIR assumed a reduction in parking requirements of 2.2 percent; however, as shown in the revised text of Section 2, *Project Description*, after public circulation of the Revised Draft EIR, the parking supply was changed to include an approximately 3.9-percent reduction in parking supply below the City's zoning ordinance requirements. Therefore, the emissions modeling for the Revised Draft EIR slightly overestimates mobile source GHG emissions by assuming that more parking would be provided than the project proposes. The quantity of parking is part of the project description and would be enforced through the City's site plan review process. Furthermore, if the quantity of parking were to change during the entitlements process, the City would be required to evaluate the change to the project description to determine whether additional analysis under CEQA would be necessary to disclose additional environmental impacts beyond those identified in this EIR. Therefore, it is not necessary to include limited parking supply as a condition of approval.

The project site is located approximately 0.3 mile from the Hollister Avenue and Los Carneros Way bus stop for Santa Barbara Metropolitan Transit District Line 6, which provides service at 20-minute intervals during peak hours (7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.), and approximately 0.4 mile from the Goleta Amtrak station. Therefore, the project site is located in proximity to existing transit services. The location of the project site is part of the project description. If a different location was chosen for the project, the City would be required to evaluate the change to the project description to determine whether additional analysis under CEQA would be necessary to disclose additional environmental impacts beyond those identified in this EIR. Therefore, it is not necessary to include the project site's proximity to existing transit services as a condition of approval.

#### Response 4.15

This comment provides contact information for any questions on the comments provided. The City acknowledges the contact information. The comment does address the adequacy of the EIR and no further response is required.



Letter 5

**COMMENTER:** Linda Krop, Rachel Kondor, and Brian Trautwein, Environmental Defense Center

**DATE:** June 28, 2021

Response 5.1

This comment is introductory and summarizes the commenters' concerns that the Revised Draft EIR is inadequate, because the project objectives are too narrow, the environmental analysis is incomplete, the project is inconsistent with land use policies, and there are not a reasonable range of alternatives. Please see response to comments 5.2 through 5.36 for detailed responses related to these issues.

Response 5.2

This comment states that the project objectives are too limited because they specify a number of unit types which precludes consideration of other alternatives. Pursuant to Section 15124(bb) of the State CEQA Guidelines, an EIR must include a statement of the objectives sought by the proposed project; this statement is intended to help the lead agency develop a reasonable range of alternatives to evaluate in an EIR and will aid the decision makers in preparing findings or a statement of overriding considerations, if necessary. The statement of objectives should include the underlying purpose of the project and may discuss the project benefits. Objectives 3 and 4 did not limit the range of alternatives evaluated in the EIR, which included several alternatives with a reduced number of units. The number of units included in Alternative 2: Avoid CA-SBA-56 would be reduced to 212 units and the number of units included in Alternative 3: Increased Railway/Freeway Buffer and Higher Sound Barrier and Alternative 4: Reduced Building Height would be reduced to 281 units compared to the proposed Project's 332 units. In addition, Alternative 5: Mixed Use Development would include 208 residential uses as well as 179,400 square feet of business park uses. An EIR is "not required to analyze every possible lower-density alternative that was or might have been proposed." (*Sequoyah Hills Homeowners Ass'n v. City of Oakland* (1993) 23 Cal.App.4th 704, 714). Where, as here, an EIR analyzes alternatives providing for plans for development of varying units, the analysis of alternatives is sufficient to satisfy the goals of CEQA. (*Ibid.*; *Village Laguna of Laguna Beach, Inc. v. Board of Supervisors* (1982) 134 Cal.App.3d 1022, 1028-1029).

Although Objectives 3 and 4 did not limit the number of units evaluated in the project alternatives, Objectives 3 and 4 were revised in Section 2.4 in the Final EIR for clarity to read as follows:

3. *Construct senior affordable apartment units, family affordable apartment units, and market-rate apartment units up to the maximum density allowed by the General Plan and in keeping with the Housing Element.*
4. *Create an infill housing development project that meets the density range of 20 to 25 dwelling units per acre as envisioned for the site in the City's General Plan.*

Response 5.3

This comment is introductory and states that the Revised Draft EIR includes an incorrect baseline, inadequate analysis of impacts to biological resources, and inadequate land use and policy consistency analysis. Please see response to comments 5.4 through 5.29 for detailed responses related to these issues.





#### Response 5.4

The commenter states that the “baseline” or “setting” is inaccurate. The commenter states that the Revised Draft EIR for Heritage Ridge uses an incorrect baseline from which to analyze the effects of the Project, by omitting appropriate surveys for special status wildlife, using improperly timed and outdated biological surveys, and incorrectly identifying environmentally sensitive habitat area (“ESHA”) as non-ESHA, which resulted in skewed data.

The NOP was published on April 6, 2015, which is the environmental baseline for most environmental topics analyzed in the Revised Draft EIR. However, biological surveys of the Project site were conducted in 2012, 2014, 2015, as well as in 2016, 2020, and 2021 to confirm the current conditions on the Project site. Refer to Master Response 7, Plant and Wildlife Surveys for a discussion of the adequacy of the surveys conducted between 2012 to 2021. As discussed in Master Response 2, Coastal Sage Scrub Environmentally Sensitive Habitat Area, the Project site does not contain habitat that meets the definition of an ESHA.

#### Response 5.5

This comment states protocol surveys are required to adequately identify the special status wildlife on the Project site.

Refer to Master Response 7, Plant and Wildlife Survey for a discussion of the adequacy of the surveys conducted for the Project. As discussed in Master Response 7, protocol-level wildlife surveys are not required to adequately disclose and evaluate project impacts to wildlife species. CEQA does not require a lead agency to conduct every recommended test and perform all recommended research to evaluate the impacts of a proposed project (*Association of Irrigated Residents v. County of Madera* (2003) 107 Cal.App.4th 1383, 1396; State CEQA Guidelines, § 15204, subd. [a]). Other than foraging white-tailed kite, no sign of threatened or endangered species has been observed in the study area during surveys conducted in 2012, 2014, 2015, 2016, 2020, and 2021 and protocol surveys are not warranted.

With regard to the disclaimer regarding the limitations, assumptions and use reliance in Section 6.0 of the Biological Resources Assessment (Appendix D of the Revised Draft EIR), this language is a standard legal disclaimer typically incorporated into biological reports. No revisions to the Revised Draft EIR or mitigation measures are necessary in response to this topic.

#### Response 5.6

The commenter states that new information adopted by the City Council in 2020 identifies California red-legged frog in Los Carneros Creek within the species’ dispersal distance of the project. The commenter also summarizes that the Revised Draft EIR preparation did not involve the necessary research or protocol level, aquatic, and nighttime California red-legged frog surveys to identify California red-legged frog or alternately to demonstrate absence, and incorrectly found no potential for this species onsite.

As discussed in Master Response 6, California Red-Legged Frog, upland dispersal or migration of California red-legged frog south of US 101, where the Project site is located, is not anticipated and protocol surveys are not required.

#### Response 5.7

This comment questions the adequacy of the biological surveys and states that an additional site survey was conducted on March 26, 2021 and the southeast corner is now dominated primarily by *Encelia*



*californica* (which was included in the hydroseeded mix and applied to the site in 2013) and coyote brush (*Baccharis pilularis*).

Refer to Master Response 7, Plant and Wildlife Survey, for a discussion of the adequacy of the surveys conducted for the Project. Refer to Master Response 3, Sensitive Communities for a discussion of the plant communities, including *Encelia californica*, on the Project site.

#### Response 5.8

This comment states that the scrub vegetation mapped as ESHA in the center of the project site meets the city's definition of coastal sage scrub ESHA.

As discussed in Master Response 2, Coastal Sage Scrub Environmentally Sensitive Habitat Areas, the on-site habitat does not meet the definition of an ESHA.

#### Response 5.9

This comment states the Revised Draft EIR is inconsistent regarding presence of trees in the mapped ESHA. Refer to Master Response 8, Individual Trees, for a discussion of the on-site arroyo willow, which would be replaced at a 10:1 ratio as a project-specific Condition of Approval.

#### Response 5.10

The comment is introductory and summarizes Comments 5.11 through 5.23. This comment summarizes the commenter's concerns that analysis of impacts to biological resources is inadequate and that the Revised Draft EIR fails to adequately consider the impacts to biological resources, with an inadequate analysis of the habitat value of the SPA for Los Carneros Creek, omits discussion of impacts to the mapped coastal sage scrub ESHA, and fails to discuss the cumulative impact of the Project and other projects on wildlife movement through the SPA. The commenter states that the Revised EIR fails to identify alternatives or mitigation measures that would avoid or minimize those impacts, as required by law.

Please refer to Response to Comments 5.11 through 5.23 for detailed responses related to these issues.

#### Response 5.11

The commenter states that the Revised Draft EIR fails to adequately analyze the significant impacts to Los Carneros Creek from the SPA buffer reduction. The commenter states that the Project would reduce the SPA by 33 feet, construct a sound wall and parking lot, and remove the native coyote brush scrub present within the standard minimum 100-foot SPA buffer, causing a significant impact to the Creek's biotic quality, including impacts to the Creek and SPA as a wildlife movement corridor, loss of cover for wildlife, and loss of upland habitat.

As discussed in detail in Master Response 1, Streamside Protection Area, the project as redesigned outside the SPA buffer would not have significant direct or indirect adverse effects on streamside vegetation or the biotic quality of the Los Carneros Creek. As discussed in detail in Master Response 4, Wildlife Movement, the Project's effects on the existing wildlife corridor would be less than significant and would not create a barrier to wildlife movement.



Response 5.12

The commenter states that the Revised Draft EIR omits the significant impact caused by the Project's removal of foraging habitat mapped as coastal sage scrub ESHA and restates comments provided in Letter 7. The commenter also introduces a list of birds observed as Attachment A.

As discussed in Master Response 2, Coastal Sage Scrub Environmentally Sensitive Habitat Areas, the on-site habitat does not meet the definition of an ESHA. Refer to and Master Response 5, White-Tailed Kite, for a discussion of the marginal on-site foraging habitat for white-tailed kite.

Response 5.13

The commenter states the Revised Draft EIR omits cumulative Impacts to biological resources and provides a citation to the CEQA Guidelines § 15355(b) "closely related past, present, and reasonably foreseeable probable future projects"

Consistent with CEQA Guidelines § 15355(b) the Revised Draft EIR included a list and map of Related Projects in the Goleta Area (Tables 3-1 and 3-2, Figure 3-1). The Related Projects list in the Revised Draft EIR was updated to reflect the list of recently approved, under construction, recently completed, currently planned, and pending projects in the area in 2021. This City of Goleta's list was dated February 25, 2021 and the County of Santa Barbara's list was dated January 28, 2021, and were the most up-to-date lists available at the time of the preparation of the Revised Draft EIR.

Response 5.14

The commenter states the Revised Draft EIR discussion of cumulative impacts to wildlife connectivity omits a ROW swap between the City and applicant and three City capital improvement projects (CIPs). Commenter restates conclusions of the Appendix D, Dudek, Wildlife Corridor Analysis for the Heritage Ridge Project. The commenter states ROW swap would narrow the proposed wildlife connection corridor to provide room for a bike path, bike lanes, and/or a sidewalk east of Los Carneros Road. Commentator also provides a citation for species behavior in narrow corridors with a high ratio of edge to area. Commenter states the cumulative effect of the Project, the ROW swap, and Capital Improvement Program (CIP) projects on narrowing the wildlife connection corridor and on wildlife movement is cumulatively significant, and provides justification for retaining a 100-foot-wide SPA

As detailed in Revised Draft EIR Section 2.0, Project Description, the Project includes vacating three existing undeveloped/unused roadway and slope easements dedicated as part of the 1986 Los Carneros Specific Plan to develop an industrial park on the Project site. The CIP allows the City to identify the needs of the community and to prepare a long term funding strategy to meet those needs. The City inherited a list of CIPs from the County upon incorporation, including these 1986 ROWs. Along Los Carneros Road an existing 50-foot road/slope easement recorded in 1986 is present as depicted on Revised Draft EIR Figure 2-5, Proposed Site Plan.

Abandoning this ROW would reduce or eliminate the potential for future widening, as acknowledged in the 2019 Staff Report (City of Goleta 2019) ("Staff Report"). For the City to vacate a right of way easement, the City must make the finding that there is no need for the property for right of way purposes. The projects presented in the Staff Report and mentioned by the commenter and detailed in Comments 5.15 through 18 were provided by the Public Works Director to inform the City Counsel of the implication of this ROW abandonment. As discussed in the Staff Report, with the proposed abandonment, construction of the three "low priority" CIP Projects I-20, R-13, and R-18 would no longer be feasible. The Staff Report



recommended retaining ten feet of the existing 50 foot easement to allow for “future maintenance or buffer the travel way.” On March 20, 2019, the City Council received the information. The proposed Project effectively removes the potential to construct CIP Projects I-20, R-13, and R-18. These legacy ROW improvements remain in CIP but are not included in the Five Year CIP Project List or the City’s Bicycle Master Plan (City of Goleta 2021, 2018). Future maintenance or buffer for the travel way is not “reasonably foreseeable” and the reduction of an existing road easement by 40 feet would remove development potential in the proposed and existing wildlife corridor.

Because these are not reasonably foreseeable projects, CIP Projects I-20, R-13, and R-18 are not discussed in the Revised Draft EIR cumulative project discussion, including Section 4.3, Biological Resources. The project has been redesigned to achieve the 100-foot-wide SPA buffer.

Response 5.15

This comment states that Project R-18 is omitted from the Revised Draft EIR’s discussion of cumulative impacts on wildlife connectivity.

As discussed in Response to Comment 5.14, above, CIP Project R-18 is not a reasonably foreseeable project and was therefore not included in the cumulative analysis.

Response 5.16

This comment states that Project I-20 is omitted from the Revised Draft EIR’s discussion of cumulative impacts on wildlife connectivity.

As discussed in Response to Comment 5.14, above, CIP Project I-20 is not a reasonably foreseeable project and was therefore not included in the cumulative analysis.

Response 5.17

This comment states that Project R-13 is omitted from the Revised Draft EIR’s discussion of cumulative impacts on wildlife connectivity.

As discussed in Response to Comment 5.14, above, CIP Project R-13 is not a reasonably foreseeable project and was therefore not included in the cumulative analysis.

Response 5.18

This comment states that three CIP Project (I-20, R-13, and R-18) are omitted from the Revised Draft EIR’s discussion of cumulative impacts on wildlife connectivity.

As discussed in Response to Comment 5.14, above, CIP Projects I-20, R-13, and R-18 are not reasonably foreseeable projects and were therefore not included in the cumulative analysis



Response 5.19

This comment states that Project would result in a significant impact to biological resources because it would conflict with local policies protecting biological resources, including ESHA and tree preservation policies.

Master Response 1, Streamside Protection Area, Master Response 4, Wildlife Movement, and Master Response 8, Individual Trees, include a discussion of General Plan consistency. In addition, project consistency with the relevant General Plan policies were analyzed in both Section 4.3, Biological Resources, and Section 4.9, Land Use, of the Revised Draft EIR. As discussed in Sections 4.3 and 4.9, the Project would be consistent with the applicable general plan policies. In addition, for consistency purposes, Table 4.9-1 in Section 4.9, Land Use, was revised as follows in the Final EIR to include the policy consistency analysis that was included in Section 4.3, Biological Resources, of the Revised Draft EIR.

**Table 4.9-1  
 Consistency with Policies in the Goleta General Plan**

Policy	Discussion
<b>CONSERVATION ELEMENT</b>	
<p><b>CE 1.1 Definition of Environmentally Sensitive Habitat Areas.</b> <u>[GP/CP] ESHAs shall include, but are not limited to, any areas that through professional biological evaluation are determined to meet the following criteria:</u></p> <p>a. <u>Any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and that could be easily disturbed or degraded by human activities and developments.</u></p> <p>b. <u>Any area that includes habitat for species and plant communities recognized as threatened or endangered by the state or federal governments; plant communities recognized by the State of California (in the Terrestrial Natural Communities Inventory) as restricted in distribution and very threatened; and those habitat types of limited distribution recognized to be of particular habitat value, including wetlands, riparian vegetation, eucalyptus groves associated with monarch butterfly roosts, oak woodlands, and savannas.</u></p> <p>c. <u>Any area that has been previously designated as an ESHA by the California Coastal Commission, the California Department of Fish and Game, City of Goleta, or other agency with jurisdiction over the designated area</u></p>	<p><b>Consistent.</b> The application includes a General Plan Amendment for the removal of 2.9 acres of coyote brush scrub that does not qualify as Coastal Sage Scrub ESHA mapped on Figure 4.1; refer discussion under OS 7.2 and to Section 4.3, Biological Resources, for details.</p>
<p><b>CE 1.2: Designation of Environmentally Sensitive Habitat Areas.</b> ESHAs are shown in Figure 4-1.</p>	<p><b>Consistent.</b> See discussion under OS 7.2.</p>
<p><b>CE 1.5: Corrections to Map of ESHAs.</b> If a site-specific biological study contains substantial evidence that an area previously shown as an ESHA on Figure 4-1 does not contain habitat that meets the definition of an ESHA for reasons other than that set forth in CE 1.4, the City biologist and the Planning Commission shall review all available information and determine if the area in question should no longer be considered an ESHA and therefore not be subject</p>	<p><b>Consistent.</b> Site-specific biological analysis indicates that the Project would not result in an impact to ESHAs. Although the Project site contains a City of Goleta mapped Coastal Sage Scrub ESHA, the habitat is not present within the Project site boundary or immediately adjacent areas. Project site habitat includes 8.80 acres of total non-native grassland (4.74 acres of Bromus grassland, 4.06 acres of upland mustards) and 7.99 acres of ruderal scrub (4.17 acres of quailbush scrub, 3.29 acres</p>



**Table 4.9-1  
Consistency with Policies in the Goleta General Plan**

Policy	Discussion
<p>to the ESHA protection policies of this plan. If the final decision-making body determines that the area is not an ESHA, a map modification shall be included in the next General Plan/Coastal Land Use Plan amendment; however, Local Coastal Program policies and standards for protection of ESHAs shall not apply, and approval of development consistent with all other requirements of this plan may be considered prior to the map revision.</p>	<p>of coyote brush scrub) and that likely provide limited low-quality foraging habitat for raptors. None of these habitats qualify as ESHA.</p>
<p><b>CE 1.6: Protection of ESHAs.</b> ESHAs shall be protected against significant disruption of habitat values, and only uses or development dependent on and compatible with maintaining such resources shall be allowed within ESHAs or their buffers. The following shall apply:</p> <ul style="list-style-type: none"> <li>a. No development, except as otherwise allowed by this element, shall be allowed within ESHAs and/or ESHA buffers.</li> <li>b. A setback or buffer separating all permitted development from an adjacent ESHA shall be required and shall have a minimum width as set forth in subsequent policies of this element. The purpose of such setbacks shall be to prevent any degradation of the ecological functions provided by the habitat area.</li> <li>c. Public accessways and trails are considered resource-dependent uses and may be located within or adjacent to ESHAs. These uses shall be sited to avoid or minimize impacts on the resource to the maximum extent feasible. Measures—such as signage, placement of boardwalks, and limited fencing or other barriers—shall be implemented as necessary to protect ESHAs.</li> <li>d. The following uses and development may be allowed in ESHAs or ESHA buffers only where there are no feasible, less environmentally damaging alternatives and will be subject to requirements for mitigation measures to avoid or lessen impacts to the maximum extent feasible: 1) public road crossings, 2) utility lines, 3) resource restoration and enhancement projects, 4) nature education, 5) biological research, and 6) Public Works projects as identified in the Capital Improvement Plan, only where there are no feasible, less environmentally damaging alternatives.</li> <li>e. If the provisions herein would result in any legal parcel created prior to the date of this plan being made unusable in its entirety for any purpose allowed by the land use plan, exceptions to the foregoing may be made to allow a reasonable economic use of the parcel. Alternatively, the City may establish a program to allow transfer of development rights for such parcels to receiving parcels that have areas suitable for and are designated on the Land Use Plan map for the appropriate type of use and development.</li> </ul>	<p><b>Consistent.</b> Site-specific biological analysis indicates that the Project would not result in an impact to ESHAs. Although the Project site contains a City of Goleta mapped ESHA, the habitat is no longer present within the Project boundary or immediately adjacent areas.</p>
<p><b>CE 1.7: Mitigation of Impacts to ESHAs. New development shall be sited and designed to avoid impacts to ESHAs.</b> If there is no feasible alternative that can eliminate all impacts, then the alternative that would result in the fewest or least</p>	<p><b>Consistent.</b> See discussion under policy CE 1.6.</p>



**Table 4.9-1  
 Consistency with Policies in the Goleta General Plan**

Policy	Discussion
<p>significant impacts shall be selected. Any impacts that cannot be avoided shall be fully mitigated, with priority given to onsite mitigation. Offsite mitigation measures shall only be approved when it is not feasible to fully mitigate impacts on site. If impacts to onsite ESHAs occur in the Coastal Zone, any offsite mitigation area shall also be located within the Coastal Zone. All mitigation sites shall be monitored for a minimum period of 5 years following completion, with changes made as necessary based on annual monitoring reports. Where appropriate, mitigation sites shall be subject to deed restrictions. Mitigation sites shall be subject to the protections set forth in this plan for the habitat type unless the City has made a specific determination that the mitigation is unsuccessful and is to be discontinued.</p>	
<p><b>CE 1.9: Standards Applicable to Development Projects.</b> The following standards shall apply to consideration of developments within or adjacent to ESHAs:</p> <ol style="list-style-type: none"> <li>a. Site designs shall preserve wildlife corridors or habitat networks. Corridors shall be of sufficient width to protect habitat and dispersal zones for small mammals, amphibians, reptiles, and birds.</li> <li>b. Land divisions for parcels within or adjacent to an ESHA shall only be allowed if each new lot being created, except for open space lots, is capable of being developed without building in any ESHA or ESHA buffer and without any need for impacts to ESHAs related to fuel modification for fire safety purposes.</li> <li>c. Site plans and landscaping shall be designed to protect ESHAs. Landscaping, screening, or vegetated buffers shall retain, salvage, and/or reestablish vegetation that supports wildlife habitat whenever feasible. Development within or adjacent to wildlife habitat networks shall incorporate design techniques that protect, support, and enhance wildlife habitat values. Planting of nonnative, invasive species shall not be allowed in ESHAs and buffer areas adjacent to ESHAs.</li> <li>d. All new development shall be sited and designed so as to minimize grading, alteration of natural landforms and physical features, and vegetation clearance in order to reduce or avoid soil erosion, creek siltation, increased runoff, and reduced infiltration of stormwater and to prevent net increases in baseline flows for any receiving water body.</li> <li>e. Light and glare from new development shall be controlled and directed away from wildlife habitats. Exterior night lighting shall be minimized, restricted to low intensity fixtures, shielded, and directed away from ESHAs.</li> <li>f. All new development should minimize potentially significant noise impacts on special-status species in adjacent ESHAs.</li> <li>g. All new development shall be sited and designed to minimize the need for fuel modification, or weed</li> </ol>	<p><b>Consistent.</b> See discussion under policy CE 1.6.</p>



**Table 4.9-1  
 Consistency with Policies in the Goleta General Plan**

Policy	Discussion
<p>abatement, for fire safety in order to preserve native and/or nonnative supporting habitats. Development shall use fire-resistant materials and incorporate alternative measures, such as firewalls and landscaping techniques, that will reduce or avoid fuel modification activities.</p> <p>h. The timing of grading and construction activities shall be controlled to minimize potential disruption of wildlife during critical time periods such as nesting or breeding seasons.</p> <p>i. Grading, earthmoving, and vegetation clearance adjacent to an ESHA shall be prohibited during the rainy season, generally from November 1 to March 31, except as follows: 1) where erosion control measures such as sediment basins, silt fencing, sandbagging, or installation of geofabrics have been incorporated into the project and approved in advance by the City; 2) where necessary to protect or enhance the ESHA itself; or 3) where necessary to remediate hazardous flooding or geologic conditions that endanger public health and safety.</p> <p>j. In areas that are not adjacent to ESHAs, where grading may be allowed during the rainy season, erosion control measures such as sediment basins, silt fencing, sandbagging, and installation of geofabrics shall be implemented prior to and concurrent with all grading operations.</p>	
<p><b><u>CE 2.2: Streamside Protection Areas. [GP/CP]</u></b> <u>A streamside protection area (SPA) is hereby established along both sides of the creeks identified in Figure 4-1. The purpose of the designation shall be to preserve the SPA in a natural state in order to protect the associated riparian habitats and ecosystems. The SPA shall include the creek channel, wetlands and/or riparian vegetation related to the creek hydrology, and an adjacent upland buffer area. The width of the SPA upland buffer shall be as follows:</u></p> <p>a. <u>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.</u></p> <p>b. <u>If the provisions above would result in any legal parcel created prior to the date of this plan being made unusable in its entirety for any purpose allowed by the landuse plan, exceptions to the foregoing may be made</u></p>	<p><b><u>Consistent.</u></b> <u>The riparian habitat associated with the Los Carneros Creek adjacent the northeast property line is mapped as a Stream Protection Area (SPA) ESHA, thereby warranting a 100-foot buffer under CE Policy CE 2.2. As discussed in Section 4.3, Biological Resources, the project would meet the 100-foot buffer requirement.</u></p>





**Table 4.9-1  
 Consistency with Policies in the Goleta General Plan**

Policy	Discussion
<p align="center"><u>to allow a reasonable economic use of the parcel, subject to approval of a conditional use permit.</u></p>	
<p><b>CE 3.3: Site-Specific Wetland Delineations.</b> In considering development proposals where an initial site inventory or reconnaissance indicates the presence or potential for wetland species or indicators, the City shall require the submittal of a detailed biological study of the site, with the addition of a delineation of all wetland areas on the project site. Wetland delineations shall be based on the definitions contained in Section 13577(b) of Title 14 of the California Code of Regulations. A preponderance of hydric soils or a preponderance of wetland indicator species will be considered presumptive evidence of wetland conditions. At a minimum, the delineation report shall contain:</p> <ol style="list-style-type: none"> <li>A map at a scale of 1":200' or larger showing topographic contours.</li> <li>An aerial photo base map.</li> <li>A map at a scale of 1":200' or larger with polygons delineating all wetland areas, polygons delineating all areas of vegetation with a preponderance of wetland indicator species, and the locations of sampling points.</li> <li>A description of the survey methods and surface indicators used for delineating the wetland polygons.</li> <li>A statement of the qualifications of the person preparing the wetland delineation.</li> </ol>	<p><b>Consistent.</b> As discussed in Section 4.3, <i>Biological Resources</i>, no wetlands are located on site. Rincon Consultants completed a biological evaluation in 2015 and no wetlands were identified on the site.</p>
<p><b>CE 3.4: Protection of Wetlands in the Coastal Zone. [CP]</b> <u>The biological productivity and the quality of wetlands shall be protected and, where feasible, restored in accordance with the federal and state regulations and policies that apply to wetlands within the Coastal Zone. Only uses permitted by the regulating agencies shall be allowed within wetlands. The filling, diking, or dredging of open coastal waters, wetlands, estuaries, and lakes is prohibited unless it can be demonstrated that: a. There is no feasible, environmentally less damaging alternative to wetland fill. b. The extent of the fill is the least amount necessary to allow development of the permitted use. c. Mitigation measures have been provided to minimize adverse environmental effects. d. The purposes of the fill are limited to: incidental public services, such as burying cables or pipes; restoration of wetlands; and nature study, education, or similar resource-dependent activities. A wetland buffer of a sufficient size to ensure the biological integrity and preservation of the wetland shall be required. Generally the required buffer shall be 100 feet, but in no case shall wetland buffers be less than 50 feet. The buffer size should take into consideration the type and size of the development, the sensitivity of the wetland resources to detrimental edge effects of the development to the resources, natural features such as topography, the functions and values of the wetland, and the need for upland transitional habitat. A 100-foot minimum buffer area shall not be reduced when it serves the functions and values of slowing and absorbing flood waters for flood and erosion control, sediment filtration, water purification, and ground</u></p>	<p><b>Consistent.</b> Policy CE 1.4 requires a buffer of 100 feet from any wetland in the coastal zone. The Los Carneros Wetland is directly north of the coastal zone; a 100-foot buffer is not required by the General Plan and CE 3.4 is included for reference only.</p>



**Table 4.9-1  
 Consistency with Policies in the Goleta General Plan**

Policy	Discussion
<p><u>water recharge. The buffer area shall serve as transitional habitat with native vegetation and shall provide physical barriers to human intrusion</u></p>	
<p><b>CE 3.5: Protection of Wetlands Outside the Coastal Zone.</b> <b>[GP]</b> <u>The biological productivity and the quality of inland wetlands shall be protected and, where feasible, restored. The filling of wetlands outside the Coastal Zone is prohibited unless it can be demonstrated that:</u></p> <ul style="list-style-type: none"> <li>a. <u>The wetland area is small, isolated, not part of a larger hydrologic system, and generally lacks productive or functional habitat value.</u></li> <li>b. <u>The extent of the fill is the least amount necessary to allow reasonable development of a use allowed by the Land Use Element.</u></li> <li>c. <u>Mitigation measures will be provided to minimize adverse environmental effects, including restoration or enhancement of habitat values of wetlands at another location on the site or at another appropriate offsite location within the City. A wetland buffer of a sufficient size to ensure the biological integrity and preservation of the wetland shall be required.</u></li> </ul> <p><u>A wetland buffer shall be no less than 50 feet. The buffer size should take into consideration the type and size of the development, the sensitivity of the wetland resources to detrimental edge effects of the development to the resources, natural features such as topography, the functions and values of the wetland and the need for upland transitional habitat. The buffer area shall serve as transitional habitat with native vegetation and shall provide physical barriers to human intrusion.</u></p>	<p><b>Consistent.</b> <u>The edge of the Project site is approximately 80 feet northwest of the beginning of the Los Carneros wetland, and is separated by existing Camino Vista Road.</u></p>
<p><b>CE 5.2: Protection of Native Grasslands.</b> In addition to the provisions of Policy CE 1, the following standards shall apply:</p> <ul style="list-style-type: none"> <li>a. For purposes of this policy, existing native grasslands are defined as an area where native grassland species comprise 10 percent or more of the total relative plant cover. Native grasslands that are dominated by perennial bunch grasses tend to be patchy. Where a high density of separate small patches occurs in an area, the whole area shall be delineated as native grasslands.</li> <li>b. To the maximum extent feasible, development shall avoid impacts to native grasslands that would destroy, isolate, interrupt, or cause a break in continuous habitat that would (1) disrupt associated animal movement patterns and seed dispersal, or (2) increase vulnerability to weed invasions.</li> <li>c. Removal or disturbance to a patch of native grasses less than 0.25 acre that is clearly isolated and is not part of a significant native grassland or an integral component of a larger ecosystem may be allowed. Removal or disturbance to restoration areas shall not be allowed.</li> <li>d. Impacts to protected native grasslands shall be minimized by providing at least a 10-foot buffer that is</li> </ul>	<p><b>Consistent.</b> Vegetation at the Project site consists of coyote brush scrub or ruderal/disturbed areas that consist overwhelmingly of non-native grasses and forbs. Evidence demonstrating that the coyote brush scrub at the site does not meet the definition of an ESHA is provided above under Section 4.3.1.b. The purple needle grass observed within the upland mustard area on-site does not constitute sensitive native grassland pursuant to the City's General Plan and Environmental Review Guidelines and Environmental Thresholds Manual, since it was required to be planted for erosion control following approved 2013 grading. No plant communities within the Project site are considered sensitive. The Project would not affect native grasses.</p>



**Table 4.9-1  
 Consistency with Policies in the Goleta General Plan**

Policy	Discussion
<p>restored with native species around the perimeter of the delineated native grassland area.</p> <p>e. Removal of nonnative and invasive exotic species shall be allowed; revegetation shall be with plants or seeds collected within the same watershed whenever feasible.</p>	
<p><b>CE 5.3: Protection of Costal Bluff Scrub, Coastal Sage Scrub, and Chaparral ESHA. [GP/CP]</b> In addition to the provisions of Policy CE 1, the following standards shall apply:</p> <p>a. For purposes of this policy, coastal bluff scrub is defined as scrub habitat occurring on exposed coastal bluffs. Example species in bluff scrub habitat include Brewer’s saltbush (<i>Atriplex lentiformis</i>), lemonade berry (<i>Rhus integrifolia</i>), seashore blight (<i>Suaeda californica</i>), seacliff buckwheat (<i>Eriogonum parvifolium</i>), California sagebrush (<i>Artemisia californica</i>), and coyote brush [brush] (<i>Baccharis pilularis</i>). Coastal sage scrub is defined as a drought-tolerant, Mediterranean habitat characterized by soft-leaved, shallow-rooted subshrubs such as California sagebrush (<i>Artemisia californica</i>), coyote brush [brush] (<i>Baccharis pilularis</i>), and California encelia (<i>Encelia californica</i>). It is found at lower elevations in both coastal and interior areas where moist maritime air penetrates inland. Chaparral is defined as fire- and drought-adapted woody, evergreen shrubs generally occurring on hills and lower mountain slopes. The area must have both the compositional and structural characteristics of coastal bluff scrub, coastal sage scrub, or chaparral habitat as described in Preliminary Descriptions of Terrestrial Natural Communities of California (Holland 1986) or other classification system recognized by the California Department of Fish and Game.</p> <p>b. To the maximum extent feasible, development shall avoid impacts to coastal bluff scrub, coastal sage scrub, or chaparral habitat that is part of a wildlife movement corridor and the impact would preclude animal movement or isolate ESHAs previously connected by the corridor such as (1) disrupting associated bird and animal movement patterns and seed dispersal, and/or (2) increasing erosion and sedimentation impacts to nearby creeks or drainages.</p> <p>c. Impacts to coastal bluff scrub, coastal sage scrub, and chaparral ESHAs shall be minimized by providing at least a 25-foot buffer restored with native species around the perimeter of the ESHA, unless the activity is allowed under other CE subpolicies and mitigation is applied per CE 1.7. d. Removal of nonnative and invasive exotic species shall be allowed; revegetation shall be with plants</p>	<p><b>Consistent.</b> The habitat on-site does not meet the definition of coastal sage scrub habitat as defined in the <u>General Plan CE Policy 5.3</u> and would therefore not conflict with this policy. <u>The General Plan CE Policy 5.3 defines coastal sage scrub habitat as a drought-tolerant, Mediterranean habitat characterized by soft-leaved, shallow-rooted subshrubs such as California sagebrush (<i>Artemisia californica</i>), coyote brush (<i>Baccharis pilularis</i>), California encelia (<i>Encelia californica</i>)</u> Of these species only coyote brush was observed as dominant within <u>the mapped on-site ESHA</u>. <u>The National Vegetation Classification Hierarchy as Applied to California Vegetation identifies coastal sage scrub as a macrogroup of multiple alliances, none of which includes coyote brush as the dominant alliance species.</u> Under General Plan CE Policy 5.3 coastal sage scrub habitat must have both the compositional and structural characteristics of coastal sage scrub as described in a <u>classification system recognized by the CDFW</u>. However, <u>no other characteristic coastal sage scrub species was observed as occurring even infrequently or sparsely (&lt; 8% cover) by Rincon or Dudek biologists.</u></p>



**Table 4.9-1  
Consistency with Policies in the Goleta General Plan**

Policy	Discussion
<p>or seeds collected within the same watershed whenever feasible.</p>	
<p><b>CE 8.1: ESHA Designation.</b> Requisite habitats for individual occurrences of special-status plants and animals, including candidate species for listing under the state and federal endangered species acts, California species of special concern, California Native Plant Society List 1B plants, and other species protected under provisions of the California Fish and Game Code shall be preserved and protected, and their occurrences, including habitat requirements, shall be designated as ESHAs. These habitats include, but are not limited to, the following:</p> <ul style="list-style-type: none"> <li>a. Special-status plant species such as Santa Barbara honeysuckle (<i>Lonicera subspicata</i> var. <i>subspicata</i>), southern tarplant (<i>Centromadia parryi</i> ssp. <i>australis</i>) and blackflowered figwort (<i>Scrophularia atrata</i>).</li> <li>b. Nesting and roosting areas for various species of raptors such as Cooper’s hawks (<i>Accipiter cooperii</i>), red-tailed hawks (<i>Buteo jamaicensis</i>), white-tailed kites (<i>Elanus leucurus</i>), and turkey vultures (<i>Cathartes aura</i>).</li> </ul>	<p><b>Consistent with Mitigation.</b> Based on survey results (Rincon 2015), special status plant and wildlife species have a low potential to occur on-site and a low probability of being impacted by the Project. Mitigation would reduce potential impacts to nesting birds, wildlife movement and off-site sensitive communities. See discussion in Section 4.3, <i>Biological Resources</i>.</p>
<p><b>CE 8.2: Protection of Habitat Areas.</b> All development shall be located, designed, constructed, and managed to avoid disturbance of, or adverse impacts to, special-status species and their habitats, including spawning, nesting, rearing, roosting, foraging, and other elements of the required habitats.</p>	<p><b>Consistent with Mitigation.</b> See discussion under policy CE 8.1.</p>
<p><b>CE 8.3: Site-Specific Biological Resources Study.</b> Any areas not designated on Figure 4-1 that meet the ESHA criteria for the resources specified in CE 8.1 shall be accorded the same protections as if the area were shown on the figure. Proposals for development on sites where ESHAs are shown on the figure, or where there is probable cause to believe that an ESHA may exist, shall be required to provide the City with a site-specific biological study that includes the following information:</p> <ul style="list-style-type: none"> <li>a. A base map that delineates topographic lines, parcel boundaries, and adjacent roads.</li> <li>b. A vegetation map that 1) identifies trees or other sites that are existing or historical nests for the species of concern and 2) delineates other elements of the habitat such as roosting sites and foraging areas.</li> <li>c. A detailed map that shows the conclusions regarding the boundary, precise location and extent, or current status of the ESHA based on substantial evidence provided in the biological studies.</li> <li>d. A written report that summarizes the survey methods, data, observations, findings, and recommendations.</li> </ul>	<p><b>Consistent.</b> Biological Resources Assessments were conducted for the Project site by Dudek in 2014 and Rincon Consultants, Inc. in 2015. No ESHAs were found on-site.</p>
<p><b>CE 8.4: Buffer Areas for Special-Status Species.</b> Development shall be designed to provide a 100-foot buffer around active and historical nest sites for protected species of raptors when feasible. In existing developed areas, the width of the buffer may be reduced to correspond to the actual width of the buffer for adjacent development. If the</p>	<p><b>Consistent.</b> See discussions under Policies CE 8.1, CE 8.2, and CE 8.3.</p>



**Table 4.9-1  
 Consistency with Policies in the Goleta General Plan**

Policy	Discussion
<p>biological study described in Subpolicy CE 8.3 determines that an active raptor nest site exists on the subject property, whenever feasible no vegetation clearing, grading, construction, or other development activity shall be allowed within a 300-foot radius of the nest site during the nesting and fledging season.</p>	
<p><b>CE 9.1: Definition of Protected Trees.</b> New development shall be sited and designed to preserve the following species of native trees: oaks (<i>Quercus</i> spp.), walnut (<i>Juglans californica</i>), sycamore (<i>Platanus racemosa</i>), cottonwood (<i>Populus</i> spp.), willows (<i>Salix</i> spp.), or other native trees that are not otherwise protected in ESHAs, unless as otherwise allowed in CE 9.</p>	<p><b>Consistent.</b> <u>Three willow trees are present on site as discussed in Section 4.3, Biological Resources and would be replaced at a ratio of 10:1 as required by the Project-specific Conditions of Approval. No trees are present on the site.</u></p>
<p><b>CE 9.2: Tree Protection Plan.</b> Applications for new development on sites containing protected native trees shall include a report by a certified arborist or other qualified expert. The report shall include an inventory of native trees and a Tree Protection Plan.</p>	<p><b>Consistent.</b> <del>No trees are present on the site. No Tree Protection Plan would be required.</del> <u>Three willow trees are present on site as discussed in Section 4.3, Biological Resources and would be replaced at a ratio of 10:1 as required by the Project-specific Conditions of Approval</u></p>
<p><b>CE 9.4: Tree Protection Standards.</b> The following impacts to native trees and woodlands should be avoided in the design of projects: 1) removal of native trees; 2) fragmentation of habitat; 3) removal of understory; 4) disruption of the canopy, and 5) alteration of drainage patterns. Structures, including roads and driveways, should be sited to prevent any encroachment into the protection zone of any protected tree and to provide an adequate buffer outside of the protection zone of individual native trees in order to allow for future growth. Tree protection standards shall be detailed in the Tree Protection Ordinance called for in CE-IA-4.</p>	<p><b>Consistent.</b> <del>No trees are present on the site.</del> <u>Three willow trees are present on site as discussed in Section 4.3, Biological Resources and would be replaced at a ratio of 10:1 as required by the Project-specific Conditions of Approval</u></p>
<p><b>CE 9.5: Mitigation of Impacts to Native Trees.</b> Where the removal of mature native trees cannot be avoided through the implementation of project alternatives or where development encroaches into the protected zone and could threaten the continued viability of the tree(s), mitigation measures shall include, at a minimum, the planting of replacement trees on site, if suitable area exists on the subject site, or offsite if suitable onsite area is unavailable, consistent with the Tree Protection Ordinance (see also CE-IA-4). The Tree Protection Ordinance shall establish the mitigation ratios for replacement trees for every tree removed. Where onsite mitigation is not feasible, offsite mitigation shall be provided by planting of replacement trees at a site within the same watershed. If the tree removal occurs at a site within the Coastal Zone, any offsite mitigation area shall also be located within the Coastal Zone. Minimum sizes for various species of replacement trees shall be established in the Tree Protection Ordinance. Mitigation sites shall be monitored for a period of 5 years. The City may require replanting of trees that do not survive.</p>	<p><b>Consistent.</b> <del>No significant native trees are present on the site.</del> <u>Three willow trees are present on site as discussed in Section 4.3, Biological Resources and would be replaced at a ratio of 10:1 as required by the Project-specific Conditions of Approval</u></p>
<p><b>CE 10.1: New Development and Water Quality.</b> New development shall not result in the degradation of the water quality of groundwater basins or surface waters; surface waters include the ocean, lagoons, creeks, ponds, and</p>	<p><b>Consistent with Mitigation.</b> Implementation of the existing U.S. Army Corps of Engineers permit and NPDES requirements and mitigation for post-construction monitoring would ensure that the Project would not adversely affect surface waters. As</p>



**Table 4.9-1  
Consistency with Policies in the Goleta General Plan**

Policy	Discussion
<p>wetlands. Urban runoff pollutants shall not be discharged or deposited such that they adversely affect these resources.</p>	<p>described in Section 4.3, <i>Biological Resources</i>, the Project would not result in a reduction in runoff that would result in any hydrological interruption to Los Carneros Wetland or affect the existing hydrological process. Also refer to Section 4.8, <i>Hydrology and Water Quality</i>.</p>
<p><b>CE 10.2: Siting and Design of New Development.</b> New development shall be sited and designed to protect water quality and minimize impacts to coastal waters by incorporating measures designed to ensure the following:</p> <ol style="list-style-type: none"> <li>a. Protection of areas that provide important water quality benefits, areas necessary to maintain riparian and aquatic biota, and areas susceptible to erosion and sediment loss.</li> <li>b. Limiting increases in areas covered by impervious surfaces.</li> <li>c. Limiting the area where land disturbances occur, such as clearing of vegetation, cut-and-fill, and grading, to reduce erosion and sediment loss.</li> <li>d. Limiting disturbance of natural drainage features and vegetation.</li> </ol>	<p><b>Consistent with Mitigation.</b> The site does not contain riparian or aquatic resources. Mitigation for post-construction monitoring would ensure that the Project would not adversely affect surface waters. See Section 4.8, <i>Hydrology and Water Quality</i>.</p>
<p><b>CE 10.3: Incorporation of Best Management Practices for Stormwater Management.</b> New development shall be designed to minimize impacts to water quality from increased runoff volumes and discharges of pollutants from nonpoint sources to the maximum extent feasible, consistent with the City’s Storm Water Management Plan or a subsequent Storm Water Management Plan approved by the City and the Central Coast Regional Water Quality Control Board. Post construction structural BMPs shall be designed to treat, infiltrate, or filter stormwater runoff in accordance with applicable standards as required by law. Examples of BMPs include, but are not limited to, the following:</p> <ol style="list-style-type: none"> <li>a. Retention and detention basins.</li> <li>b. Vegetated swales.</li> <li>c. Infiltration galleries or injection wells.</li> <li>d. Use of permeable paving materials.</li> <li>e. Mechanical devices such as oil-water separators and filters.</li> <li>f. Revegetation of graded or disturbed areas.</li> <li>g. Other measures as identified in the City’s adopted Storm Water Management Plan and other City-approved regulations.</li> </ol>	<p><b>Consistent with Mitigation.</b> The Project includes construction of drainage infrastructure. Mitigation is required to ensure the infrastructure is maintained over the life of the Project and minimize impacts to water quality and site drainage. See Section 4.8, <i>Hydrology and Water Quality</i>.</p>
<p><b>CE 10.4: New Facilities.</b> New bridges, roads, culverts, and outfalls shall not cause or contribute to creek bank erosion or creek or wetland siltation and shall include BMPs to minimize impacts to water quality. BMPs shall include construction phase erosion control, polluted runoff control plans, and soil stabilization techniques. Where space is available, dispersal of sheet flow from roads into vegetated areas, or other onsite infiltration practices, shall be incorporated into the project design.</p>	<p><b>Consistent.</b> See discussion under CE 10.3 and Section 4.8, <i>Hydrology and Water Quality</i>.</p>



**Table 4.9-1  
 Consistency with Policies in the Goleta General Plan**

Policy	Discussion
<p><b>CE 10.6: Stormwater Management Requirements.</b> The following requirements shall apply to specific types of development:</p> <ul style="list-style-type: none"> <li>a. Commercial and multiple-family development shall use BMPs to control polluted runoff from structures, parking, and loading areas.</li> <li>b. Restaurants shall incorporate BMPs designed to minimize runoff of oil and grease, solvents, phosphates, and suspended solids to the storm drain system.</li> <li>c. Gasoline stations, car washes, and automobile repair facilities shall incorporate BMPs designed to minimize runoff of oil and grease, solvents, car battery acid, engine coolants, and gasoline to the stormwater system.</li> <li>d. Outdoor materials storage areas shall be designed to incorporate BMPs to prevent stormwater contamination from stored materials.</li> <li>e. Trash storage areas shall be designed using BMPs to prevent stormwater contamination by loose trash and debris.</li> </ul>	<p><b>Consistent with Mitigation.</b> The Project would incorporate appropriate BMPs for structures and parking areas. Mitigation is proposed for a Maintenance Agreement to maintain new storm water infrastructure. See Section 4.8, <i>Hydrology and Water Quality</i>.</p>
<p><b>CE 10.7: Drainage and Stormwater Management Plans.</b> New development shall protect the absorption, purifying, and retentive functions of natural systems that exist on the site. Drainage Plans shall be designed to complement and use existing drainage patterns and systems, where feasible, conveying drainage from the site in a nonerosive manner. Disturbed or degraded natural drainage systems shall be restored where feasible, except where there are geologic or public safety concerns. Proposals for new development shall include the following:</p> <ul style="list-style-type: none"> <li>a. A Construction-Phase Erosion Control and Stormwater Management Plan that specifies the BMPs that will be implemented to minimize erosion and sedimentation; provide adequate sanitary and waste disposal facilities; and prevent contamination of runoff by construction practices, materials, and chemicals.</li> <li>b. A Post-Development-Phase Drainage and Stormwater Management Plan that specifies the BMPs—including site design methods, source controls, and treatment controls—that will be implemented to minimize polluted runoff after construction. This plan shall include monitoring and maintenance plans for the BMP measures.</li> </ul>	<p><b>Consistent with Mitigation.</b> The Project would comply with the requirements of approved drainage and stormwater management plans. Mitigation is proposed for a Maintenance Agreement to maintain new storm water infrastructure. See Section 4.8, <i>Hydrology and Water Quality</i>.</p>
<p><b>CE 10.8: Maintenance of Stormwater Management Facilities.</b> New development shall be required to provide ongoing maintenance of BMP measures where maintenance is necessary for their effective operation. The applicant and/or owner, including successors in interest, shall be responsible for all structural treatment controls and devices as follows:</p> <ul style="list-style-type: none"> <li>a. All structural BMPs shall be inspected, cleaned, and repaired when necessary prior to September 30th of each year.</li> </ul>	<p><b>Consistent with Mitigation.</b> The applicant would be responsible for maintenance of BMPs in accordance with an approved stormwater management plan. Mitigation is proposed for a Maintenance Agreement to maintain new storm water infrastructure. See Section 4.8, <i>Hydrology and Water Quality</i>.</p>



**Table 4.9-1  
 Consistency with Policies in the Goleta General Plan**

Policy	Discussion
b. Additional inspections, repairs, and maintenance should be performed after storms as needed throughout the rainy season, with any major repairs completed prior to the beginning of the next rainy season. c. Public streets and parking lots shall be swept as needed and financially feasible to remove debris and contaminated residue. d. The homeowners association, or other private owner, shall be responsible for sweeping of private streets and parking lots.	

Response 5.20

This comment states that the Revised Draft EIR omits the significant impact caused by removing coastal sage scrub and coyote brush scrub vegetation communities outside of the mapped ESHA.

As discussed in Master Response 2, Coastal Sage Scrub Environmentally Sensitive Habitat Area, the Project site does not contain habitat that meets the definition of an ESHA. Therefore, as discussed in Master Response 2, removal of the ESHA designation on the Project site would not result in a significant impact and mitigation is not required.

Response 5.21

This comment states that the Revised Draft EIR proposes no mitigation measures for the loss of scrub habitat and ESHA.

As discussed in Master Response 2, Coastal Sage Scrub Environmentally Sensitive Habitat Area, and Master Response 3, Sensitive Communities, on-site scrub habitat does not meet the definition of an ESHA. Therefore, as discussed in Master Responses 2 and 3, removal of the scrub habitat and ESHA designation on the Project site would not result in a significant impact and mitigation is not required.

Response 5.22

This comment states that the Revised Draft EIR must mitigate the loss of non-ESHA scrub vegetation by preserving and/or restoring coastal sage scrub in the proposed park and/or SPA.

Refer to Master Response 2, Coastal Sage Scrub Environmentally Sensitive Habitat Area, and Master Response 3, Sensitive Communities, for a discussion of why on-site scrub habitat does not meet the definition of an ESHA. Therefore, as discussed in Master Responses 2 and 3, removal of the scrub habitat and ESHA designation on the Project site would not result in a significant impact and mitigation is not required. Refer to Response to Comment 5.36 for a detailed discussion of the proposed landscape plan, including proposed landscaping in the 2-acre park. Native landscaping is proposed in the portion of the SPA buffer on site.





Response 5.23

This comments states off-site mitigation for non-ESHA scrub vegetation communities and wildlife habitats should be considered if on-site mitigation is not feasible.

As discussed in Master Response 3, Sensitive Communities, impacts to on-site vegetation communities are less than significant with mitigation prohibiting invasive species (Mitigation Measure BIO-2); therefore, on-site or off-site mitigation or restoration are not required.

Response 5.24

This comment states that the Revised Draft EIR does not accurately disclose the project's land use and policy consistency impacts.

As discussed in Response to Comment 5.19, the EIR includes a policy consistency analysis for all relevant General Plan policies in Section 4.3, Biological Resources, and Section 4.9, Land Use.

Response 5.25

This comment states that the Policy Consistency Analysis in the Revised Draft EIR omits General Plan Policy CE 2.2 and fails to disclose the Project's inconsistency with Policy CE 2.2.

Refer to Master Response 1, Streamside Protection Area, for a discussion of the Project's consistency with General Plan Policy CE 2.2. As discussed in Master Response 1, the Project was redesigned to meet the 100-foot buffer requirement. As discussed in detail in Response to Comment 5.19, Table 4.9-1 in Section 4.9, Land Use, was revised in the Final EIR to include the policy consistency analysis (including General Plan Policy CE 2.2) that was included in Section 4.3, Biological Resources, of the Revised Draft EIR.

Response 5.26

The commenter states that the Project is inconsistent with Policies CE 1.6, CE 5.3, CE 9.1, and CE 9.4 because it would remove the mapped ESHA and a protected tree.

Refer to Master Response 1, Streamside Protection Area and Master Response 2, Coastal Sage Scrub Environmentally Sensitive Habitat Area for a discussion of the mapped ESHA on the Project site. Site-specific biological analysis indicates that the Project would not result in an impact to ESHAs. Although the Project site contains a City of Goleta mapped ESHA, the habitat is no longer present within the Project boundary or immediately adjacent areas. Therefore, the Project is not inconsistent with Policies CE 9.1 and CE 9.4. As discussed in Master Response 8: Individual Trees, the Project would be consistent with Policies 9.1 and 9.4 because the three on-site willow trees would be replaced at a ratio of 10:1 as required by the Project-specific Conditions of Approval.

Response 5.27

The comment states that the Revised Draft EIR's discussion of General Plan Policy CE 1.6 is inadequate and omits Discussion of CE 5.3, regarding coastal sage scrub ESHA.

The Project's consistency with relevant General Plan polices was included in Section 4.9, Land Use, of the Revised Draft EIR and included a discussion of consistency with Policy 1.6. A discussion of consistency with



Policy 5.3 was included in Section 4.3, Biological Resources, of the Revised Draft EIR. As discussed in Response to Comment 5.19, Policy 5.3 was added to Section 4.9, Land Use, in the Final EIR for consistency with the analysis contained in Section 4.3, Biological Resources.

Refer to Master Response 1, Streamside Protection Area, and Master Response 2, Coastal Sage Scrub Environmentally Sensitive Habitat Area, for a detailed discussion of the Project consistency with the General Plan policies related to ESHA and coastal sage scrub. As discussed in the consistency analysis, although the Project site contains a City of Goleta mapped ESHA, the habitat is no longer present within the Project boundary or immediately adjacent areas. Therefore, the Project is consistent with General Plan Policies CE 1.6 and 5.3.

#### Response 5.28

The comment states the Revised Draft EIR's discussion of CE 9.1, 9.2, and 9.4 is inaccurate because it omits the on-site trees.

As discussed in Response to Comment 5.19, the consistency analysis for Policies CE 9.1, 9.2, and 9.4 were revised in the Final EIR to acknowledge the on-site trees. The Project would be consistent with Policies CE 9.1, 9.2, and 9.4 because the on-site willow trees would be replaced at a ratio of 10:1 as required by the Project-specific Conditions of Approval. The landscape plan was revised to reflect replacement of the willow trees.

#### Response 5.29

The comment states that the Revised Draft EIR omits or misrepresents the Project's inconsistency with General Plan Policies CE 1.2(l) and CE 8.2 because of the removal of white-tailed kite habitat.

The Project's consistency with Policies CE 1.2 and CE 8.2 were included in Section 4.9, Land Use of the Revised Draft EIR. Refer to Master Response 1, Stream Protection Area and Master Response 2, Coastal Sage Scrub, for a detailed discussion of the Project's consistency with the SPA- and ESHA-related General Plan Policies. The biological surveys conducted for the Project documented that ESHA habitat is not present within the Project boundary. In addition, special status plant and wildlife species have a low potential to occur on-site and a low probability of being impacted by the Project. For these reasons, the Project would be consistent with Policies CE 1.2 and CE 8.2.

#### Response 5.30

This comment is introductory and summarizes CEQA Guidelines and case law related to selection of project alternatives. This comment does not contain a substantive comment on the EIR and no further response is required.

#### Response 5.31

This comment states that the project objectives are too limited because they specify a number of unit types which precludes consideration of other alternatives. Please refer to response to comment 5.2, above.



Response 5.32

This comment states that none of the project alternatives address the significant effects to biological resources. The range of alternatives examined in the Revised Draft EIR were selected consistent with the CEQA requirement that the EIR “describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project” (CEQA Guidelines §15126.6). As described in Section 4.3, Biological Resources, of the Revised Draft EIR, all potential impacts to biological resources evaluated in the Draft EIR were found to be mitigable to a less than significant level. As a result, the alternatives evaluated in the Revised Draft EIR were developed to address the significant and unavoidable impacts identified elsewhere in the Revised Draft EIR (refer to Section 4.4, Cultural Resources, Section 4.10, Noise, Section 4.14, Utilities and Service Systems, and Section 6.0, Alternatives). (See also *Tracy First v. City of Tracy* (2009) 177 Cal.App.4th 912, 928-929 [EIR not required to evaluate alternatives that would not reduce significant environmental impacts]).

Response 5.33

This comment states that none of the project alternatives address the significant effects related to General Plan inconsistencies from impacts to biological resources. As discussed in Master Response 9, a reasonable range of alternatives was selected to reduce the significant, unavoidable project impacts. An alternative focused on biological impacts was not developed as no significant impact was identified to occur for biological resources or could be reduced to less than significance with mitigation. As described in Section 4.9, *Land Use*, of the Draft EIR, all potential impacts related to land use in the Draft EIR were found to be mitigable to a less than significant level. In addition, as discussed in response to comments 5.24 through 5.29, the Project is consistent with the applicable General Plan policies related to biological resources. Therefore, Project alternatives to address land use inconsistency are not required, since the Project would be consistent with all relevant General Plan policies. (See also *Tracy First v. City of Tracy* (2009) 177 Cal.App.4th 912, 928-929 [EIR not required to evaluate alternatives that would not reduce significant environmental impacts]).

Response 5.34

This comment is introductory and states that the Revised Draft EIR must include an alternative to maintain a 100-foot creek setback and protects the mapped ESHA. Please refer to response to comments 5.35 and 5.36 below.

Response 5.35

This comment states that the SPA setback can be protected by shifting the development to the south, eliminating or reducing parking by providing more compact spaces, and/or reducing the number of market rate units. The comment also states that shifting the development could be accomplished by reducing the size of the detention basin by decreasing runoff, making the basin deeper, and/or incorporating subsurface storage.

As discussed in the Revised Draft EIR, the Project included a proposed soundwall and parking within the Los Carneros Creek 100-foot SPA buffer at the northeast corner of the project site. As a result, an SPA buffer reduction of up to 33 feet would be required to be approved by the City as part of the project approval process for the Project analyzed in the Revised Draft EIR. As suggested by the commenter, the



Applicant and design engineer evaluated various options for shifting the northeast portion of the development to the south, outside of the SPA buffer. Design changes evaluated included reducing drive aisle width, reducing the distance between buildings, increasing building height, reducing residential units, eliminating parking space, or reducing the size of the detention basins. As a result of this evaluation, it was determined a 100-foot buffer from the Los Carneros Creek SPA could be achieved by eliminating 36 parking space and shifting Buildings 8 and 9 shifted south by approximately 5 feet and 2 feet, respectively. These design changes were incorporated into the Project design and the project description in Chapter 2 of this Final EIR was revised to reflect the project design changes. The revised site plan is included as Figure 2-5 in Chapter 1, Project Description, of this Final EIR. As discussed in Master Response 1, Streamside Protection Area, this change in project design would achieve a 100-foot buffer from the Los Carneros Creek SPA and the SPA buffer reduction request is no longer required.

*State CEQA Guidelines, Section 15088.5*, requires that a lead agency recirculate a Draft EIR when significant new information is added to the EIR prior to certification. The change in project design does not constitute “significant new information” because it does not result in a new avoidable significant effect, does not substantially increase the severity of any environmental impacts, does not identify a feasible project alternative considerably different from others previously analyzed, and does not involve new mitigation measures or substantial revisions to mitigation measures that were proposed in the Revised Draft EIR. As such, recirculation of the EIR is not required pursuant to *State CEQA Guidelines, Section 15088.5*.

#### Response 5.36

This comment states that the mapped ESHA should be protected by maintaining and restoring habitat within the proposed park and reducing the development footprint by 0.77 acres by increasing density from 23.63 units per acre to 25 units per acre, reducing the size of the parking spaces, and reducing the number of market rate units.

Maintaining and restoring habitat within the proposed park is not required. As detailed in Master Response to Comments 2, the coyote brush scrub does not meet the City’s General Plan Policy CE 1.1a or 1.1b definition of ESHA nor qualifies as a CDFW sensitive natural community. As such, removal of this habitat would not result in a potentially significant impact and maintaining and restoring the habitat is not required pursuant to CEQA or the City’s General Plan. In addition, the park would be restored with native plant species used prehistorically by Chumash inhabitants. As discussed in Section 4.4 Cultural and Tribal Cultural Resources, the Project cannot be constructed without a protective layer of soil to separate construction from the archaeological elements on the Project site. The placement of geotextile fabric and protective soils would avoid all potentially direct impacts to significant archaeological resources associated with prehistoric site CA-SBA-56, and protect tribal cultural resources identified by local Barbareño Chumash tribal representatives. The protective fill soil would also allow for establishing native vegetation species that have been identified in consultation with local Barbareño Chumash tribal representatives that were used indigenously in this location surrounding the Goleta Slough. As discussed in Impact CR-2 of the Revised Draft EIR, the placement of the protective fill in the project open space area, development of the landscape plan providing for native plant species used prehistorically by Chumash inhabitants, and including a heritage monument informing the public of the area’s tribal cultural significance to contemporary Chumash would reduce potential impacts to tribal cultural resources to less than significant levels.

The quality of the existing coastal sage scrub, which has been determined to be disturbed coyote brush scrub as noted above, has overall low native species diversity and a high prevalence of noxious non-native



species such as mustards and fountain grass. The Preliminary Landscape Plan proposes a diversity of native species commonly found in ecologically functional coastal sage scrub communities and oak woodland canopies and understories. The Preliminary Landscape Plan proposes approximately 17,711 square feet of low growing coastal sage scrub species, 20,446 square feet of native shrubs with coast live oak canopy cover, and 8,894 square feet of dense native oak trees and riparian species with a woodland component adjacent to the proposed development bioswales near Buildings 4, 5, and 6. Many of these species were selected for habitat value, including food (berries and seed), nectar, bird nesting and wildlife foraging habitat, and provide a high species diversity to provide habitat for a wider range of species than the existing low quality coyote brush scrub currently provides. The native plantings proposed in the park, which combined is 47,051 square feet (1.08 acre) not including the native grassland meadow, can also function as a wildlife movement corridor node between the existing Los Carneros wetland to the south and Los Carneros Creek which is northeast of the site, and the Lake Los Carneros area north of the freeway. This biological node can benefit birds by providing wildlife forage and cover, and perching habitat for raptors. The elimination of the noxious non-native invasive species would be an overall benefit as compared to the current existing condition. The ethnobotanical component to the park plant palette design also provides a cultural benefit and is being developed in concert with local Chumash representatives.

The Preliminary Landscape Plan is consistent with the City's General Plan Policy Open Space (OS) OS 6.10, Design and Management of Public Parks and Open Space [GP] that requires park facilities to be designed and managed to protect of the ecology of the natural systems; emphasize native and drought tolerant species; and restrict the use herbicides, pesticides, chemical fertilizers, and other toxic substances. As discussed above the Preliminary Landscape Plan emphasizes native species and drought tolerant noninvasive species. As discussed under Section 4.3.2, Biological Resources, BIO-4(b) requires a Landscape Chemical and Pest Management Plan that prohibits the use of pesticides, herbicides, fertilizers and rodenticides. Additionally, the protective fill, ethnobotanical approach, and heritage monument is consistent with CLUP/GP Policy OS 8: Protection of Native American and Paleontological Resources [GP/CP].

Please refer to Response to Comment 5.35 above for a discussion on project design changes that were incorporated into the Project to achieve a 100-foot SPA buffer setback.

#### Response 5.37

This comment concludes the letter and states the Revised Draft EIR must be revised to address the defects in the EIR. Please see response to comments 5.2 through 5.36 for detailed responses related to the issues raised in the comment letter.

*Letter 6*

**COMMENTER:** Erinn Wilson-Olgin, California Department of Fish and Wildlife

**DATE:** June 29, 2021

Response 6.1

This comment is introductory, states that the California Department of Fish and Wildlife (CDFW) has reviewed the Revised Draft EIR, and thanks the City for the opportunity to comment on the Revised Draft EIR. This comment does not contain a substantive comment on the EIR and no further response is required.

Response 6.2

The comment expresses concern that the proposed 25-40-foot-wide wildlife movement corridor is not adequate in size and constitutes an impact to a known wildlife movement corridor. The comment also states that the Project may impact wildlife populations by increasing human presence, traffic, noise, air pollutants and dust, artificial lighting, and would significantly and permanently reduce the width of the existing wildlife corridor. The comment provides three recommendations that 1) a defensible wildlife corridor width be required, 2) human use of wildlife movement corridor be restricted, and 3) wildlife-proof trash and recycling receptacles be provided.

Refer to Master Response 4, Wildlife Movement, for a detailed discussion of impacts related to wildlife corridor. As discussed in Master Response 4, the Project would retain a passable corridor for wildlife species. The proposed sound wall along the northern project footprint would shield wildlife from Project human uses. In addition, feasible mitigation (Mitigation Measures BIO-4[a] through BIO-4[c]) has been identified to reduce indirect impacts (such as noise, nighttime illumination, sedimentation, and presence of domestic predators) to the wildlife corridor.

In addition, BIO-4(b) has been revised as follows in the Final EIR to require wildlife-proof trash and recycling receptacles to reduce attraction of wildlife to the Project site, as suggested by CDFW's Recommendation #3.

**BIO-4(b) Landscape Chemical and Pest Management Plan.** All pesticides, herbicides, and fertilizers used at the Project site must be those designated for use near aquatic and wetland habitats and must be applied with techniques that avoid over-spraying and control application to avoid excessive concentrations. Rodenticides are prohibited. Trash and recycling receptacles shall be wildlife proof.

**Plan Requirements and Timing:** A Landscape Chemical and Pest Management Plan (Plan) must be developed by the applicant and approved by the Planning and Environmental Review Director, or designee, before a final map is recorded. The requirements must be printed on the final approved landscape plans, each residential unit lease document, the map, and recorded on the property deed. The Plan must provide a prohibition on use of pesticides, herbicides, fertilizers and rodenticides. These prohibitions must be the subject of at least one annual communication by the



applicant to the residents in the form of a meeting and/or newsletter or electronic update that is distributed to residents.

**Monitoring:** Evidence of this effort must be provided to the Planning and Environmental Review Director, or designee, each year by January 1st. The management must also provide the Planning and Environmental Review Director with an annual monitoring report by January 1<sup>st</sup> of each year demonstrating the use of aquatic and wetland habitat appropriate fertilizer, herbicides, and pesticides consistent with the Plan on the property. If determined necessary by the City, the City may require the applicant to retain a City-approved qualified biologist to verify the correct use of appropriate herbicides, pesticides, and fertilizers as part of the annual monitoring report.

### Response 6.3

The comment states that the status of white-tailed kite (*Elanus leucurus*) nesting at Los Carneros Wetland and white-tailed kite foraging on the Project site is not disclosed. The comment states that survey results should be included in the EIR to determine if white-tailed kite are utilizing the Project site for foraging. The comment includes recommended mitigation for impacts to white-tailed kite habitat.

Refer to Master Response 5, White-Tailed Kite, for a detailed discussion on white-tailed kite habitat. The Los Carneros Wetland habitat and marginal on-site foraging habitat for white-tailed kite was disclosed in Section 4.3, Biological Resources, of the Revised Draft EIR. As discussed in Section 4.3, Biological Resources, in the Revised Draft EIR, white-tailed kite have been observed as transients and foraging on the Project site. However, additional surveys are not required since nesting or fall/winter roosting habitat is not present in the Project site or study area. The Revised Draft EIR found that project-level and cumulative impacts as result of the loss of marginal foraging habitat would be less than significant and no mitigation is required.

### Response 6.4

The comment states that the DEIR does not include CDFW sensitive vegetation community alliance information and only considers the county definition of a native grassland. The comment includes recommended mitigation for impacts to sensitive communities.

Refer to Master Response 3, Sensitive Communities. Sensitive communities are not present on-site and mitigation is not required.

### Response 6.5

The comment states potential impacts to Los Carneros Creek and the new culvert under the Union Pacific Railroad are not clear and that the Project may result in the alteration of streams. The comment recommends a map of features potentially subject to CDFW authority be provided in the EIR. The comment also recommends the use of permeable pavement and native plants to aid in percolation, reduce water consumption, and reduce pesticide and herbicide use.

As stated in Section 4.3 *Biological Resources*, direct impacts would not occur within stream channels or areas under state jurisdiction (e.g., riparian vegetation). As no on-site CDFW jurisdiction is present, no mapping of on-site CDFW jurisdiction was included in the Revised Draft EIR. Flows at the carport would



be diverted to the off-site detention basins to the south and not Los Carneros Creek. The project would not divert, obstruct, change or use any material from, or discharge any material into streambeds, and the notification process in CFGC Section 1602 is therefore not anticipated to be required. The UPPR ROW, including the culvert, would not be affected by the Project. UPPR vegetation maintenance has been ongoing since the reservoirs were constructed in 1897 and is not part of this Project.

The Revised Draft EIR includes a discussion of potential downstream impacts and hydrological modeling, as discussed in Master Response 1, Streamside Protection Area. Consistent with the recommendations provided in the comment, permeable pavers and sand are proposed in the landscape plan to allow for filtration and percolation into groundwater basin. Native and drought tolerant plants are also incorporated into the landscape plan. BIO-4(b) Landscape Chemical and Pest Management Plan aligns with recommendations provided by the commenter to regulate the use of pesticides and herbicides.

#### Response 6.6

This comment states that payment of CDFW fees is required. The City will pay the required CDFW fees at the time the Notice of Determination (NOD) for the EIR is filed with the Santa Barbara County Clerk.

#### Response 6.7

This comment concludes the letter, thanks the City for the opportunity to comment on the Revised Draft EIR, and provides contact information for questions on the comments. The City acknowledges the contact information. This comment does not contain a substantive comment on the EIR and no further response is required.



*Letter 7*

**COMMENTER:** Lawrence E. Hunt, Hunt & Associates

**DATE:** June 28, 2021

Response 7.1

This comment is introductory and expresses the comments concern related 100-foot Streamside Protection Area and Environmentally Sensitive Habitat Area on the project site. Please see response to comments 7.3 through 7.49 for detailed responses related to these issues.

Response 7.2

This comment is introductory and expresses the commenter’s concern related to the proposed reduction of the 100-foot Streamside Protection Area, removal of Environmentally Sensitive Habitat Area on the project site, and removal of native vegetation and habitat. Please see response to comments 7.3 through 7.49 for detailed responses related to these issues.

Response 7.3

The comment states that the requested reduction in the SPA buffer would significantly degrade the ability for wildlife to move between the Project site and Los Carneros Creek and would reduce the biotic quality of the creek.

Refer to Master Response 1, Streamside Protection Area, and Master Response 4, Wildlife Movement. As discussed in Master Response 1, the Project was redesigned outside the SPA buffer and would not have significant adverse effects on streamside vegetation or the biotic quality of the Los Carneros Creek. As discussed in detail in Master Response 4, Wildlife Movement, the Project’s effects on the existing wildlife corridor would be less than significant and would not create a barrier to wildlife movement.

Response 7.4

The comment summarizes General Plan Policy CE 2.2 and acknowledges the Project’s request for an SPA buffer reduction. The comment does address the adequacy of the EIR and no further response is required.

Response 7.5

The comment acknowledges that Los Carneros Creek and the Project site are physically separated by the railroad track, but contends that the large copse of arroyo willows at the northwestern edge of the on-site mapped ESHA may indicate the presence of a subsurface connection between Los Carneros Creek, the Project site, and the Los Carneros Wetlands south of the project site which would have been more evident prior to development on the Project site.

Prior to the grading initiated in 1986, hydrology at the Project site, Los Carneros Creek, and Los Carneros Wetland was affected by decades of both farming and orchards, the construction of Hollister Avenue in the late 1800s, Southern Pacific Railroad in 1887, US 101 in 1948 including channelization of Los Carneros Creek around 1956, the Los Carneros overpass around 1967, and a mixture of residential and commercial



buildings that gradually filled in the surrounding area (City of Goleta 2020). The most recent disturbance on the Project site was the mass graded in 2013 as part of the approved grading for the Willow Springs II project. In addition, the emergent willow described in the Revised Draft EIR is a single emergent tree as discussed in Master Response 2, Coastal Sage Scrub Environmentally Sensitive Habitat Area, and not a large copse of arroyo willow trees as suggested in the comment.

#### Response 7.6

The comment acknowledges that the entire SPA is off-site and located in the UPRR/Caltrans right-of-way. However, comment also contends that the SPA is still biologically connected to the Project site via wildlife movement.

Refer to Master Response 1, Streamside Protection Area, and Master Response 4, Wildlife Movement, for a discussion of the connectivity of the Project site to the SPA. As discussed in Master Response 4, the wildlife linkage are mapped outside the Project boundary, the Project has been redesigned to avoid the SPA buffer, and the Project would retain a passable corridor for wildlife movement.

#### Response 7.7

The commenter states that paved and unpaved access roads, levees, gabions, and other flood control structures along the City creeks where they transverse US 101 and the UPRR ROW reduce the quality of their associated SPA buffers, but they are designed and maintained so as not to preclude the buffers from retaining functionality. The comment states the SPA buffer for the Heritage Ridge project should be maintained at 100 feet and existing native vegetation conserved and enhanced along the outside of the proposed northern and western sound walls to provide cover for wildlife using the Los Carneros Creek SPA buffer.

Refer to Master Response 1, Streamside Protection Area, which discusses that the Project has been redesigned to meet the 100-foot setback requirement. Specific flood control structures are not mentioned in the comment; however, the UPRR ROW and existing channel has been in the current configuration since 1887 and 1956, respectively. Both were constructed prior to the practice of designs integrated to maintain wetland and water buffer functionality.

#### Response 7.8

The comment states that the US 101 transportation corridor is likely an absolute barrier to terrestrial wildlife movement, but the Carneros Creek culvert beneath the freeway provides a physical link between the upstream reaches and the daylighted reach between the freeway and UPRR corridor, the SPA buffer, and the Project site.

Refer to Master Response 4, Wildlife Movement, for a discussion of wildlife linkages.

#### Response 7.9

The commenter states that the Revised Draft EIR fails to mention that the proposed sound wall would isolate the Project site from the Los Carneros Creek ESHA and SPA buffer and will create a barrier to terrestrial wildlife movement.



As discussed in detail in Master Response 4, Wildlife Movement, the existing wildlife corridor is along the base of the existing berm and extends to the west. The proposed sound wall would guide wildlife in this same location/direction as travel documented in the 2014 Dudek study. The existing fill slope presents a wildlife barrier, and construction of an 8-foot-high sound wall would not be a significant impact to wildlife movement.

#### Response 7.10

The comment states the Revised Draft EIR incorrectly states that Los Carneros Creek does not provide suitable habitat for California red-legged frog because the upstream reaches do not support permanent water, and that there are no records of California red-legged frog in the watershed. The comment also provides information on California red-legged frog observations in Goleta.

Refer to Master Response 6, California Red-Legged Frog, for a discussion on the observations of California red-legged frog north of US 101 during 2019-2020 surveys for the CWMP. As discussed in Master Response 6, upland dispersal or migration of California red-legged frog south of US 101, where the Project site is located, is not anticipated.

#### Response 7.11

The comment states that Figure 1 in the Environmentally Sensitive Habitat Biological Survey and Mapping prepared by Watershed Environmental Inc. in August 2020 (Appendix D in the Revised Draft EIR)<sup>14</sup> maps coyote brush scrub that lies outside the Project site boundary, but does not map coyote brush scrub that occurs along the northern portion of the Project site within the project footprint. The commenter states that removal of this habitat and construction of the proposed sound wall would cause a significant adverse impact to the biotic quality of Los Carneros Creek.

Refer to Master Response 4, Wildlife Movement, for a discussion of for a discussion on why the removal of coyote brush and construction of the sound wall adjacent to the SPA buffer would not have significant adverse effects on the functionality of the Los Carneros Creek. Contrary to that indicated by the commenter, Figure 1 includes the on-site coyote brush scrub mapping along the northern property boundary.

#### Response 7.12

The comment states the existing coyote brush scrub along the northern border of the Project site provides cover and foraging habitat for terrestrial wildlife moving along the southern portions of the UPRR right-of-way. The commenter states that removing the coyote brush scrub with a sound wall in this area would cause a significant adverse impact to the biotic quality of Los Carneros Creek ESHA.

For discussion of the coyote brush along the northern Project boundary refer Master Response 4, Wildlife Movement. As discussed in Master Response 4, Wildlife Movement, the habitat is marginal and obstacles on-site include fencing and a fill slope. More suitable migration habitat is present on the north side of the UPRR tracks in the willow thickets and eucalyptus woodland provide more vegetated cover.

---

<sup>14</sup> Updated in the Final EIR as an *Analysis of ESHA Boundary and SPA Buffer Zone* prepared by Watershed Environmental Inc. in October 2021; refer to Master Response 1, Streamside Protection Area, for details.



Response 7.13

The comment states the riparian corridor and SPA buffer associated with neighboring creeks provides a vegetated corridor of open space for wildlife moving between Bishop Ranch, Lake Los Carneros Park, and other semi-natural areas north of US 101 and creek reaches and the Goleta Slough south of US 101

Refer to Master Response 4, Wildlife Movement for a discussion of wildlife linkages associated with the larger core habitat patches cited in the comment letter. This comment does not contain a substantive comment on the EIR and no further response is required.

Response 7.14

This comment states that the 100-foot SPA buffer should be protected and the sound wall constructed in such a way that native shrub cover along the north side of the wall (facing the railroad tracks) is retained and enhanced with habitat restoration to improve the biotic function of Los Carneros Creek.

Refer to Master Response 1, Streamside Protection Area. The Project has been to avoid the 100 foot SPA buffer and would not have significant adverse effects on the functionality of the Los Carneros Creek.

Response 7.15

The comment states that the on-site coyote brush scrub meets the definition of ESHA in General Plan Policy CE 1.1 and the description of coastal sage scrub in Policy CE 5.3(a). The comment also states that by not recognizing coyote brush scrub as a localized, disturbance-associated form of coastal sage scrub, the City sets a precedent that could eliminate other occurrences that would significantly fragment and degrade the remaining patches of coyote brush-dominated coastal sage scrub within the City.

Refer to Master Response 2, Coastal Sage Scrub Environmentally Sensitive Habitat Area, which addresses why the on-site habitat does not meet the definition of an ESHA. The comment on precedent will be forwarded to the decision makers for consideration.

Response 7.16

The comment provides background information on coyote brush scrub and states previous removal of this habitat should not be a justification for future removal.

Refer to Master Response 2, Coastal Sage Scrub Environmentally Sensitive Habitat Area, for a discussion of removal of the on-site ESHA designation. Previous removal is not included in the justification for removal of the ESHA designation on the Project site, but the studies prepared for Willow Springs I & II are referenced in *Technical Review of Coastal Sage Scrub Environmentally Sensitive Habitat Area for the North Willow Springs Project* (Dudek, 2014a) in Appendix D of the Revised Draft EIR. The comment on precedent will be forwarded to the decision makers for consideration.

Response 7.17

The comment offers a correction on the species names referenced in General Plan Policy CE 5.3. Coyote brush meets all of the defining characteristics of a component of coastal sage scrub in Policy 5.3. The comment also states that without considering the disturbance history of a site, valuable coyote brush



scrub habitat that could, in time, increase in species richness characteristic of less-disturbed coastal sage scrub, will be lost.

Refer to Master Response 2, Coastal Sage Scrub Environmentally Sensitive Habitat Area. CEQA does not require analysis of the historic or potential future habitat on a Project site. The NOP was published on April 6, 2015, which is the environmental baseline for most environmental topics analyzed in the Revised Draft EIR. However, biological surveys of the Project site were conducted in 2012, 2014, 2015, as well as in 2016, 2020, and 2021 to confirm the current conditions on the Project site. The analysis in Section 4.3, Biological Resources, is based on the current site conditions, and not a historic or hypothetical future condition. As suggested in the comment, the Section 3.2.1(b) in the Final EIR has been changed as follows to correct the species names in Policy CE 5.3:

The General Plan Policy CE 5.3 defines coastal sage scrub habitat as a drought-tolerant, Mediterranean habitat characterized by soft-leaved, shallow-rooted subshrubs such as California sagebrush (*Artemisia californica*), coyote brush (*Baccharis pilularis*), and California encelia (*Encelia californica*) goldenbush (*Ericameria ericoides*), giant wild rye (*Elymus condensatus*), and annual non-native grasses

This change is for clarification purposes and does not affect the analysis of impacts to on-site habitat in Section 4.3, Biological Resources of the Revised Draft EIR.

#### Response 7.18

The comment states that the Revised Draft EIR statement that coyote brush is on not on the list of the CDFW sensitive communities fails to acknowledge the role that disturbance history, edaphic conditions, hydrology, and the biology of coyote brush contribute to development of coyote brush scrub as a variant of coastal sage scrub.

Refer to Master Response 2: Coastal Sage Scrub Environmentally Sensitive Habitat Area, for a discussion on the City's Classification of coastal sage scrub in the City's Environmental Thresholds and Guidelines Manual and General Plan Conservation Element. Refer to Master Response 3, Sensitive Communities, for a discussion of the classification and rarity of coyote brush scrub.

#### Response 7.19

The commenter states coyote brush colonized the area mapped as ESHA as far back as 1985, which is before the latest round of grading occurred (Google Earth imagery), and after orchards were removed from the site and the site was allowed to revert to annual grassland.

The Google Earth imagery prior to 1994 does not clearly show the Project site. Figure 9-6 below shows the site as non-native grassland in both Google Earth (with the boundary and ESHA show) and UCSB.



**Figure 9-6 September 4, 1994 Aerial Imagery of the Project Site**



Source: Google Earth (1994) and UCSB (1994)

Refer to Response to Comment 7.5 for a discussion of past disturbance in the study area. Note that based on the condition shown in Figure 9-5, the County of Santa Barbara did not map the area as ESHA in the 1993 Goleta Community Plan (County of Santa Barbara 1993). The 2004 General Plan Background Report maps the area as “Various Annual Grasslands” (City 2004). The Area is not mapped as “scrub” until the General Plan FEIR.

#### Response 7.20

The comment states that the coyote brush scrub is an early seral stage of coastal sage scrub. The comment also states that patch mapped as ESHA gradually adds more coastal sage scrub species, such as coastal sagebrush and coastal encelia, as disturbance frequency declines.

Refer to Master Response 2, Coastal Sage Scrub Environmentally Sensitive Habitat Areas, for a discussion of coastal sage scrub succession.

#### Response 7.21

The comment states that the Project site is used for foraging habitat for white-tailed kite and other raptors. The commenter also states they observed monarch butterfly on the Project site and that the U.S. Fish and Wildlife Service concluded in 2020 that monarch butterfly are currently classified as a Candidate for Listing Endangered and action is expected to occur in 2024.

Refer to Master Response 5, White-Tailed Kite for a discussion of the marginal foraging habitat on the Project site.

The monarch butterfly updated listing a candidate species on December 15, 2020 is noted. However as discussed in the Revised Draft EIR the Project would not significantly impact monarch butterflies or City-protected roosts. The proposed landscape plan includes native and landscape species that provide nectar sources for insects, including transient monarch butterflies. Mitigation Measure BIO-4(b) would regulate the use of pesticides that would indirectly affect regional Monarch butterfly populations.

Section 4.3 of the Revised Draft EIR has been clarified to reflect the December 15, 2020 change in status:

Special status species present or with a low potential to occur within or adjacent to the Project site but could be potentially affected, are discussed below.

Low:

- Monarch butterfly (*Danaus plexippus*) – Federal Candidate, State SA, foraging

This change is for clarification purposes and does not affect the analysis in Section 4.3, Biological Resources of the Revised Draft EIR.

#### Response 7.22

The comment states to refer to previous comments regarding linkages between the project site and surrounding, larger parcels of open space. Refer to Master Response 4, Wildlife Movement, for a discussion of wildlife linkages associated with the larger core habitat patches within the City.

#### Response 7.23

The comment states coyote brush scrub mapped as ESHA on the project site has the physiognomy and floristic characteristics of early seral stages of 'coastal sage scrub'. The comment also states that removing ESHA protection for the mapped coyote brush scrub on-site sets a precedent that could be applied to other sage scrub habitats that are dominated by coyote brush and are mapped as ESHA on Figure 4-1 in the General Plan.

Refer to Master Response 2, Coastal Sage Scrub Environmentally Sensitive Habitat, for a discussion on why the on-site habitat does not meet the definition of an ESHA. The National Vegetation Classification Hierarchy as Applied to California Vegetation identifies coastal sage scrub as a macrogroup of multiple alliances, none of which includes coyote brush as the dominant alliance species. The Revised Draft EIR acknowledges that coyote brush is an early colonizer. The comment on precedence will be forwarded to the decision makers for consideration.

#### Response 7.24

The comment states that by not recognizing coyote brush scrub as an early seral stage of coastal sage scrub, the City sets a precedent to remove and further fragment valuable coyote brush scrub habitat elsewhere in the City. The comment states that coyote brush scrub mapped as ESHA on the project site should be conserved and restored.

Refer to Master Response 2, Coastal Sage Scrub Environmentally Sensitive Habitat, for a discussion of why the on-site habitat does not meet the definition of an ESHA and does not warrant conservation or restoration. The comment on precedence will be forwarded to the decision makers for consideration.

#### Response 7.25

The comment states that the Project will remove approximately 17 acres of open space that supports a mixture of native and non-native vegetation that provides foraging, nesting, roosting, and cover habitat for wildlife. The comment also states that removing ESHA protection for the coyote brush scrub mapped



as sage scrub ESHA in the General Plan will result in significant impacts to biological resources on the project site.

Refer to Master Response 2, Coastal Sage Scrub Environmentally Sensitive Habitat, for a discussion of why the on-site habitat does not meet the definition of an ESHA. As discussed in Master Response 2, the habitat composition and structure does not support, nor does it have the ability to support, an especially rich and diverse plant and/or wildlife population associated with an ESHA. Refer to and Master Response 4, Wildlife Movement, and Master Response 5, White-Tailed Kite for a discussion of wildlife habitat on the Project site. In addition, the landscape plan proposes plants that provide wildlife cover and nectar for insects.

#### Response 7.26

The comment states that the City's Environmental and Guidelines Manual assesses project-related impacts to biological resources with a series of questions and statements.

This comment is introductory and does not contain a substantive comment on the EIR and no further response is required.

#### Response 7.27

The commenter states that the Revised Draft EIR describes vegetation alliances on the project site, but does not recognize the approximately three-acre patch of coyote brush scrub in the center of the project site as ESHA, as mapped by the City of Goleta.

Refer to Master Response 2, Coastal Sage Scrub Environmentally Sensitive Habitat Areas and Master Response 3, Sensitive Communities, for a discussion on why the on-site habitat does not meet the definition of an ESHA.

#### Response 7.28

Commenter states that coastal sage scrub on the coastal plain of southern Santa Barbara County, including the City of Goleta, has been subjected to centuries of anthropogenic-related disturbance that has substantially altered plant community and wildlife habitat. The comment also states that the remaining patches of coyote brush scrub mapped as ESHA in the City limits are significantly declining in extent and quality as depicted in Figure 4-1 of the City General Plan. The comment states that the proposed deletion of coyote brush scrub as a type of coastal sage scrub ESHA sets a precedent that would lead to further loss of similar habitats in the City limits.

Refer to Master Response 2, Coastal Sage Scrub Environmentally Sensitive Habitat Areas, for a discussion of coastal sage scrub succession and for a discussion of why the on-site habitat does not meet the definition of an ESHA. Specific locations of declining sage scrub ESHA are not provided or shown in Figure 4-1 of the City General Plan. The comment on precedent will be forwarded to the decision makers for consideration.

#### Response 7.29

The commenter states that the Project site provides a linkage between Bishop Ranch, Lake Los Carneros Park, and the Goleta Slough.





Refer to Master Response 4, Wildlife Movement, for a discussion of wildlife linkages associated with the larger core habitat patches cited in the comment letter. As evaluated in Section 4.3, Biological Resources, the Project site is located in an urban area (Policy LU 8.1) fragmented by the UPRR and 101 transportation corridors and separated from the Goleta Slough and other core habitat areas by existing development.

Response 7.30

The comment states that the Project site provides foraging habitat for white-tailed kites. The commenter also states they have observed white-tailed kite using the site as foraging habitat and that the loss of 17 acres of foraging habitat will indirectly affect local kite populations.

Refer to Master Response 5, White-Tailed Kite, for a discussion of the marginal white-tailed kite habitat on the Project site. As discussed in Master Response 5, the loss of 13.29 acres of relatively low-quality ruderal non-native grassland and shrubland habitat (based on small size, fragmented condition, and proximity to existing development and transportation corridors) is not a significant impact. Other than Lake Los Carneros, the Project site is outside of the anticipated foraging range of nesting white-tailed kites at any other known key nesting areas in the Goleta area. The Project site is located adequate distance from Lake Los Carneros nesting and roosting sites and development of the site would not substantially affect regional foraging habitat.

Response 7.31

The commenter states project site has experienced a long history of anthropogenic disturbance punctuated by prolonged periods of inactivity. As disturbance frequency has declined, vegetation on the site has transitioned to an increasing dominance of native, woody shrubs, including the coyote brush scrub mapped as ESHA and that currently exists on-site.

See Response to Comment 7.5 for a discussion of past anthropogenic disturbance on the Project site. Refer to Master Response 2, Coastal Sage Scrub Environmentally Sensitive Habitat Areas, for a discussion of coastal sage scrub succession and for a discussion of why the on-site habitat does not meet the definition of an ESHA. This comment does not contain a substantive comment on the EIR and no further response is required.

Response 7.32

The comment states scrub, grassland, and ruderal habitats generally, and coyote brush scrub mapped as ESHA provides foraging, nesting, roosting, and cover habitat for a wide variety of wildlife. The commenter states they observed 30 wildlife species on the Project site, including two special status species (monarch butterfly and white-tailed kite).

CEQA specifically requires an EIR to analyze whether a project would “have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.” As such, analysis to the non-special status species mentioned as being observed on the Project site by the commenter is not required. As discussed in Section 4.3, Biological Resources, based on a database and literature review, 47 special status wildlife species are known or have the potential to occur within the vicinity of the Project site. Known occurrences within 5 miles of the Project site were considered in the analysis of the special status species that could occur on



the Project site. As stated in Section 4.3.1(b) and in the species list included in Appendix D of the Revised Draft EIR, 26 special-status species were determined to have a low potential to occur on the Project site, which included the two special status species observed by the commenter (monarch butterfly and white-tailed kite). Although no special status wildlife species were observed during surveys conducted for the Project, the EIR acknowledges the potential for foraging habitat for monarch butterfly and white-tailed kite to be present on the Project site.

#### Response 7.33

The comment states that native shrub-dominated vegetation on the 17-acre site, if left undisturbed, will continue to spread and become more floristically diverse. The coastal sage scrub patch mapped as ESHA is sufficiently large to be viable and shows evidence of recruitment of additional coastal sage scrub shrubs.

Refer to Master Response 2, Coastal Sage Scrub Environmentally Sensitive Habitat Area, for a discussion on why the on-site habitat does not meet the definition of coastal sage scrub ESHA. The commenter does not provide a percentage of the percent cover of additional coastal sage scrub shrubs (e.g., coastal sagebrush, coastal encelia) in the shrub layer which is the minimum needed required to determine Alliance/Association mapping under the *A Manual of California Vegetation*, Second Edition (Sawyer et al. 2009) (e.g., *Encelia californica* > 30% relative cover in the shrub canopy for 32.051.00). Similarly, a “sufficiently large to be viable” patch size is not provided.

#### Response 7.34

The comment states that the development of the Heritage Ridge project site could substantially reduce or eliminate foraging habitat for white-tailed kites and other raptors that nest on Lake Los Carneros Natural and Historic Park, Bishop Ranch, and the Goleta Slough.

Refer to Master Response 5, White-Tailed Kite, for a discussion of the marginal foraging habitat on the Project site. As discussed in Master Response 5, the loss of 13.29 acres of relatively low-quality ruderal non-native grassland and shrubland habitat (based on small size, fragmented condition, and proximity to existing development and transportation corridors) is not a significant impact. Other than Lake Los Carneros, the Project site is outside of the anticipated foraging range of nesting white-tailed kites at any other known key nesting areas in the Goleta area. The Project site is located adequate distance from Lake Los Carneros nesting and roosting sites and development of the site would not substantially affect regional foraging habitat for white-tailed kite or other raptors.

#### Response 7.35

The comment states that the proposed sound wall along the northern boundary of the project site could substantially disrupt wildlife movement Los Carneros Creek and the Project site via the SPA buffer, as well as movement along the UPRR corridor.

As discussed in detail in Master Response 4, Wildlife Movement, the existing wildlife corridor is along the base of the existing berm and extends to the west. The proposed sound wall would guide wildlife in this same location/direction as travel documented in the 2014 Dudek study. The existing fill slope presents a wildlife barrier, and construction of an 8-foot-high sound wall would not be a significant impact to wildlife movement.



Response 7.36

Comment is introductory to comments 7.37 through 7.41. This comment does not contain a substantive comment on the EIR and no further response is required.

Response 7.37

The comment states that grassland habitats west of and adjacent to the mapped ESHA support valuable food resources for monarch butterflies and provide foraging habitat for white-tailed kites. The comment also states that impacts of loss of the mapped ESHA and adjacent non-native annual grassland in the center of the project area for these species exceeds the City's threshold.

This comment refers to a threshold in the City's *Environmental Thresholds and Guidelines Manual* that the Project's impacts to habitat can be presumed to result in less than significant impacts if "Small acreages of non-native grassland if wildlife values are low". As discussed in Revised Draft EIR Section 4.3, Biological Resources, the 5.8 acres non-native grassland on the hydroseeded fill slope and disturbed areas south of the coyote brush is dominated by non-native species and contains marginal habitat for special-status species. The closest suitable white-tailed kite and monarch butterfly habitat is present north of the US 101, 0.5 miles north of the Project site and contiguous with the Santa Ynez foothills. As such, the Project would not exceed the threshold cited in the comment letter.

Response 7.38

The comment states that the stand of blue gum eucalyptus trees between the UPRR ROW and US 101, north of the Project site, provides roosting, and possibly nesting, habitat for raptors. The comment also states that while the Project does not propose to disturb these trees, degradation of the SPA buffer and loss of mapped ESHA and adjacent grassland in the center of the project area will remove foraging habitat for these species and thus exceeds the City's threshold.

This comment refers to a threshold in the City's *Environmental Thresholds and Guidelines Manual* that examples of where the Project's impacts to habitat can be presumed to result in less than significant impacts include "Individuals or stands of non-native trees if not used by important animal species such as raptors." As discussed under Master Response 1, Streamside Protection Area, the Project has been redesigned to meet the General Plan Policy CE 2.2 100-foot SPA setback.

As discussed in the Revised Draft EIR Section 4.3, Biological Resources, suitable nesting habitat is present in the eucalyptus trees to the north of the Project site Adjacent to U.S 101. However, no raptors have been recorded or roosting nesting in the trees and the trees are unlikely to host raptors given the adjacency to disturbance from the transportation corridor. Raptor nests have not been detected during surveys, mapped in the General Plan, or recorded in CNDDDB any other citizen science databases (CDFW 2021, eBird 2021, inaturalist 2021, Audubon 2021, City of Goleta 2021). Therefore, the loss of mapped ESHA would not result in significant, indirect impacts to nesting raptors. As such, the Project would not exceed the threshold cited in the comment letter.

Response 7.39

The commenter states that intensive agricultural (walnut orchards) use of the site was discontinued over 50 years ago thus exceeds the City's threshold.



This comment refers to a threshold in the City's *Environmental Thresholds and Guidelines Manual* that the Project would result in less than significant habitat impacts if "historical disturbance such as intensive agriculture". The Project site has been disturbed periodically between the late 1800s and 2013. Refer to Response to Comments 7.5 for a discussion of major disturbance on the Project site starting in the late 1800s. As discussed in Section 4.3, Biological Resources, and the Biological Resources Assessment in Appendix D of the Revised Draft EIR, grading for the removal of the orchard approved by the County began in 1986, which is 32 years ago. The most recent disturbance on the Project site was the mass graded in 2013 as part of the approved grading for the Willow Springs II project. As discussed in the Revised Draft EIR the site has been historically subject to disturbance and impacts to biological resources are less than significant with mitigation. As such, the Project would not exceed the threshold cited in the comment letter.

#### Response 7.40

The commenter states that the Project site encompasses approximately 17 acres of open space used by a variety of wildlife, including an approximately 3-acre patch of coyote brush scrub mapped as ESHA.

This comment refers to a threshold in the City's *Environmental Thresholds and Guidelines Manual* that the Project would result in less-than-significant impacts if habitat is "significantly fragmented or isolated: and degraded or disturbed". Refer to Master Response 2, Coastal Sage Scrub Environmentally Sensitive Habitat Area for a discussion on why the on-site habitat does not meet the definition of an ESHA. As discussed in Response to Comment 7.5, there is a history disturbance on the Project site and fragmentation. Master Response 4, Wildlife Movement, for a discussion of wildlife linkages associated with the larger core habitat patches. The Project site is located in an urban area fragmented by the UPPR and 101 transportation corridors and separated from the Goleta Slough and other core habitat areas by existing development. Because the site is fragmented isolated, degraded, and disturbed; the Project would not exceed the threshold cited in the comment letter.

#### Response 7.41

The commenter states the Project site has sustained various types of anthropogenic disturbance over the past two centuries and supports ruderal species in areas most recently disturbed, but extensive portion of the site, including the coyote brush scrub mapped as ESHA by the City of Goleta, are vegetated by native species.

This comment refers to a threshold in City's *Environmental Thresholds and Guidelines Manual* that the project would result in less than significant impacts since "primarily ruderal species resulting from pre-existing man-made disturbance." As discussed in Section 4.3, Biological Resources, of the Revised Draft EIR, the Project includes fragmented ruderal habitat subject to ongoing disturbance. As discussed in Response to Comment 7.5, there is a history of disturbance on the Project site between the late 1800s and 2013. Vegetation at the Project site consists of coyote brush scrub, quailbush scrub, or ruderal/disturbed areas that consist overwhelmingly of non-native grasses and forbs. As discussed in Master Response 2, Coastal Sage Scrub Environmentally Sensitive Habitat Area, coyote brush is a native species. However, the on-site communities are not considered sensitive nor do they qualify as ESHA. Although the project site contains some native species, the Project would not exceed the threshold cited in the comment letter because the Project site contains primarily ruderal species and was subject to past disturbance.



Response 7.42

The comment states the entire project area, including the coyote brush scrub mapped as ESHA, will be graded and developed for residential use. A public use park is proposed for the central portion of the site that will provide very limited value as habitat for wildlife.

The comment correctly states that the entire project site would be graded. However, as detailed in Master Response 2, Coastal Sage Scrub Environmentally Sensitive Habitat Area, the on-site habitat does not meet the definition of coastal sage scrub ESHA. The existing Project site has limited value as habitat for wildlife. As discussed in Master Response 2, Coastal Sage Scrub Environmentally Sensitive Habitat Area, the habitat composition and structure of the on-site scrub does not support, nor does it have the ability to support, an especially rich and diverse plant and/or wildlife population. As such, removal of this habitat would not result in a potentially significant impact and maintaining and restoring the habitat is not required pursuant to CEQA or the City's General Plan. The park would be restored with native plant species used prehistorically by Chumash inhabitants to address impacts to cultural resources, not impacts to on-site wildlife habitat.

Response 7.43

The commenter states loss of coyote brush scrub ESHA on the project site as a whole may represent up to 10 percent of such habitat remaining in the City limits.

The General Plan FEIR identifies 74.6 acres Native Scrub, including coyote brush and coastal sage scrub total in City limits. However, as detailed in Master Response 2, Coastal Sage Scrub Environmentally Sensitive Habitat Area, the on-site coyote brush scrub habitat does not meet the definition of coastal sage scrub ESHA. The removal of 2.1 acres of coyote brush scrub, regardless coastal sage scrub or not, would amount to 2.8 percent of the native scrub habitat mapped in the FEIR.

Response 7.44

The comment states that sound walls proposed for the northern and western side of the Project site will completely isolate the site for terrestrial wildlife and will remove the last semi-permeable wildlife movement corridor between north and south of the US 101/UPRR transportation corridor for a distance of about 1.3 miles.

In the existing condition, the UPRR and Caltrans ROWs are major transportation corridors that form a barrier to wildlife movement. As discussed in detail in Master Response 4, Wildlife Movement, the existing wildlife corridor to the north of the Project site is along the base of the existing berm and extends to the west. The proposed sound wall would guide wildlife in this same location/direction as travel documented in the 2014 Dudek study. The existing fill slope presents a wildlife barrier, and construction of an 8-foot-high sound wall would not be a significant impact to wildlife movement.

Response 7.45

The comment states that development of the Project site will remove approximately 17 acres of open space used as foraging, nesting, roosting, and/or cover habitat by wildlife, including monarch butterflies, a Candidate Species for Listing as Endangered, and white-tailed kites, a Fully Protected species.



The EIR acknowledges the potential for foraging habitat for Monarch butterfly and white-tailed kite to be present on the Project site. Refer to Master Response 4, Wildlife Movement for a discussion of cover habitat on the Project site and Master Response 5, White-Tailed Kite, for a discussion of the marginal foraging habitat on the Project site. Refer to Response 7.21 for a discussion of monarch butterfly. Note as evaluated in the Revised Draft EIR that Project site is 17 acres, whereas mapped non-native grassland and ruderal shrub vegetation is 14 acres.

Response 7.46

The comment states that removal of ESHA protections for coyote brush scrub currently mapped as ESHA on-site and loss of the project site as open space habitat for wildlife will substantially increase habitat fragmentation.

Refer to as Response 2, Coastal Sage Scrub Environmentally Sensitive Habitat Area, and Master Response 4, Wildlife Movement for a discussion of removal of the on-site mapped ESHA and open space habitat would not result in significant impacts related to habitat fragmentation. As described in Section 4.3, Biological Resources, of the Revised Draft EIR and explained in greater detail in accompanying technical studies in Appendix D, the vegetation within the Project site does not exhibit the requisite characteristics to qualify as ESHA.

Response 7.47

The comment states that the Project will incrementally impact white-tailed kites and raptors through loss of foraging habitat.

Refer to Master Response 5, White-Tailed Kite, for a discussion of impacts the marginal on-site foraging habitat.

Response 7.48

The comment states that development of the Project site will eliminate the site as wildlife habitat and thus would be a permanent impact to biological resources. The comment also states that removing ESHA protection for coyote brush scrub on-site establishes a precedent to eliminate similar mapped and unmapped coyote brush scrub occurrences within the City limits.

As discussed in Section 4.3, Biological Resources of the Revised Draft EIR, all impacts evaluated from development of the site would be permanent. The comment on precedence will be forwarded to the decision makers for consideration.

Response 7.49

The commenter requests that the 100-foot SPA buffer and coyote brush scrub ESHA designation be maintained. The commenter also request the mapped ESHA and adjacent grassland vegetation on the Project site be maintained as a replacement for the proposed public park.

As discussed under Master Response 1, Stream Protection Area, the Project has been redesigned to maintain to the General Plan Policy CE 2.2 100-foot setback. The commenters opinion that the , ESHA



designation, habitat within the mapped ESHA, and adjacent grassland should be maintained are acknowledged and will be provided to the decision makers for consideration.