

Appendix B

Kenwood Village Project

Notice of Preparation and Responses



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

**KENWOOD VILLAGE LLC GENERAL PLAN AMENDMENT (12-EIR-003) AND
RESIDENTIAL SUBDIVISION PROJECT (12-EIR-004)
7300 CALLE REAL, GOLETA CA 93117
Case 08-205-GPA, RZN, VTM, DP and DA
APN 077-130-019 AND 077-141-049**

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

LOCATION: 7300 Calle Real, Goleta CA 93117, APN 077-130-019 and 077-141-049

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

1. **General Plan Amendment (12-EIR-003)** – The applicant proposes the following General Plan Amendments:
 - a. Amend the Land Use Plan Map (Figure 2-1) of the Land Use Element to change the property's designation from Agriculture to Planned Residential Development;
 - b. Amend the text of Conservation Element Subpolicy CE 11.2 relating to Conversion of Agricultural Lands; and
 - c. Amend the Open Space Map of the Open Space Element (Figure 3-5) to remove the property from the map.Note that the General Plan Amendment EIR will address both the Shelby Trust project (Case 05-154-GPA, OA, RZN, VTM, DP and 12-EIR-005) and the Kenwood Village project (12-EIR-004) that is proposing very similar amendments to the General Plan.

2. **Proposed Project (12-EIR-004)** - The proposed project includes a total of 60 units on a 10-acre undeveloped site on the 7300 block of Calle Real. The project includes 13 single-family residences, 20 duplexes and 27 triplexes, six units that will be affordable to moderate and upper moderate income households (3 units each). Access to the site would be off Calle Real. Water would be provided by Goleta Water District and sewer service by Goleta West Sanitary District. The applications include:
 - a. **Rezone** - A request to rezone (RZN) the property from Design Residential (DR) 4.6 and 10 with Affordable Housing Overlay, Design Residential 4.6, Single Family Residential (R-1) and Limited Commercial to Planned Residential Development.
 - b. **Vesting Tract Map** - A Vesting Tract Map (VTM) for the creation of 65 lots to accommodate 60 residential units consisting of 13 single family, 20 duplexes and 27 triplexes, open space, private access, and public utilities to serve the subdivision on two existing parcels of record of 9.39 and 0.61 acres.
 - c. **Development Plan** - Development Plan for 13 single family, 20 duplexes and 27 triplexes for a total of 60 units plus six (6) open space lots, with private access and public utilities.
 - d. **Development Agreement** - A Development Agreement between the applicant and the City regarding obligations and benefits relating to the timing of the construction of the homes, dedication of easements and other details relating to the project.

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

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

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

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

SCOPE OF ANALYSIS OF PROJECT EIR (12-EIR-004): The EIR will provide decision-makers and the public with information that enables them to consider the environmental consequences of the project. The EIR will identify potentially significant effects, and any feasible means of avoiding or reducing the effects through project redesign, the imposition of mitigation measures, or implementation of alternatives to the project. The scope of analysis will include evaluation of project environmental effects associated with: aesthetics, biological resources, cultural resources, hydrology/water quality, and transportation/traffic.

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

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

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

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

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

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

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

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

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

Published: Santa Barbara News Press, July 26, 2012



EDMUND G. BROWN JR.
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



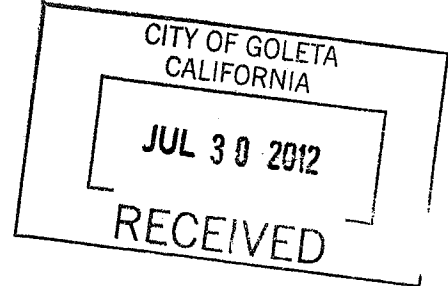
KEN ALEX
DIRECTOR

Notice of Preparation

July 23, 2012

To: Reviewing Agencies

Re: Shelby Trust and Kenwood Village LLC General Plan Amendment
SCH# 2012071071



Attached for your review and comment is the Notice of Preparation (NOP) for the Shelby Trust and Kenwood Village LLC General Plan Amendment draft Environmental Impact Report (EIR).

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

Please direct your comments to:

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

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

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

Sincerely,

Scott Morgan
Director, State Clearinghouse

Attachments
cc: Lead Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 2012071071
Project Title Shelby Trust and Kenwood Village LLC General Plan Amendment
Lead Agency Goleta, City of

Type NOP Notice of Preparation
Description The two applicants, Shelby and Kenwood Village, came to the City of Goleta with very similar General Plan Amendments requests. Both wanted to change the land use designation from Agriculture to a non-Agriculture land use as shown in the table below. The City requested that the applicants coordinate their requests so the one environmental document could be prepared on the GPA, rather than two documents addressing two similar requests. The two projects also involve amendments to the Conservation and Open Space Elements of the General Plan. The relevant maps are provided in the NOP.

Lead Agency Contact

Name Pat Saley
Agency City of Goleta
Phone 805 961 7541 **Fax**
email
Address 130 Cremona Drive, Suite B
City Goleta **State** CA **Zip** 93117

Project Location

County Santa Barbara
City Goleta
Region
Cross Streets Cathedral Oaks Rd (Shelby) and Calle Real (Kenwood Village)
Lat / Long 34.442398° N / -119.886267° W
Parcel No. 077-530-019, 077-130-019, 077-141-049
Township **Range** **Section** **Base**

Proximity to:

Highways US 101
Airports Santa Barbara Municipal
Railways SPRR
Waterways El Encanto Creek
Schools Dos Pueblos HS, Goleta Valley JHS, several ES
Land Use Various

Project Issues

Reviewing Agencies Resources Agency; Department of Conservation; Department of Parks and Recreation; Department of Water Resources; Department of Fish and Game, Region 5; Native American Heritage Commission; Public Utilities Commission; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 5; Regional Water Quality Control Board, Region 3

Date Received 07/23/2012 **Start of Review** 07/23/2012 **End of Review** 08/21/2012

NOTICE OF PREPARATION

SCH# 2012071071

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

Project Title: Shelby Trust and Kenwood Village LLC General Plan Amendment

Lead Agency: City of Goleta **Contact Person:** Pat Saley

Street Address: 130 Cremona Drive, Suite B **Phone:** (805) 961-7541

City: Goleta **Zip:** 93117 **County:** Santa Barbara

PROJECT LOCATION: County: Santa Barbara **City/Nearest Community:** Goleta

Cross Streets: Cathedral Oaks Rd (Shelby) and Calle Real (Kenwood Village) **Zip Code:** 93117

Longitude/Latitude (degrees, minutes, and seconds): Shelby: 34.442398, -119.886267 and Kenwood Village 34.433744, -119.886234

Total Acres: 14.38 ac (Shelby) and 10 ac (Kenwood)

APN: 077-530-019 (Shelby) and 077-130-019 & 077-141-049 (Kenwood)

Section: **Twp.** **Range:** **Base:**

Within 2 Miles (Highway): US 101 **Waterways:** El Encanto Creek

Airports: Santa Barbara Municipal Airport **Railways:** Southern Pacific Railroad **Schools:** Dos Pueblos HS, Goleta Valley JHS, several elementary schools



DOCUMENT TYPE

CEQA: NOP Draft EIR **NEPA:** NOI **Other:** Joint Document
Early Cons Supplement/Subsequent EIR EA Final Document
Neg Dec (Prior SCH No.) 2005031151 Draft EIS Other _____
Mit Neg Dec Other: _____ FONSI

LOCAL ACTION TYPE

General Plan Update Specific Plan (*Rescinding*) Rezone Annexation
General Plan Amendment Master Plan Prezone Redevelopment
General Plan Element Planned Unit Development Use Permit Coastal Permit
Community Plan Site Plan Land Division Other:

DEVELOPMENT TYPE - Both projects propose 60 units (single family on Shelby and single family, duplexes and triplexes on Kenwood). The project-specific impacts are addressed in each project's EIR (which are being prepared at the same time as the GPA EIR).

Residential: Units Acres
Office: Sq.ft. Acres Employees Transportation: Type
Commercial: Sq.ft. Acres Employees Mining: Type
Industrial: Sq.ft. Acres Employees Power: Type Watts
Educational _____ Waste Treatment: Type
Recreational _____ Hazardous Waste: Type
Water Facilities: Type MGD Other: _____

PROJECT ISSUES THAT MAY HAVE A SIGNIFICANT OR POTENTIALLY SIGNIFICANT IMPACT

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

- Caltrans Planning
- Central Valley Flood Protection Board
- Coachella Valley Mountains Conservancy
- Coastal Commission
- Colorado River Board
- Conservation, Department of
- Corrections, Department of
- Delta Protection Commission
- Education, Department of
- Energy Commission
- Fish and Game South Coast Region #5
- Food and Agriculture, Department of
- Forestry and Fire Protection, Department of
- General Services, Department of
- Health Services, Department of
- Housing and Community Development
- Integrated Waste Management Board
- Native American Heritage Commission

- Public Utilities Commission
- Regional Water Quality Control Board
Central Coast Region #3
- Resources Agency
- S.F. Bay Conservation and Dvlpmt Comm
- San Gabriel and Lower LA Rivers
and Mountain Conservancy
- San Joaquin River conservancy
- Santa Monica Mtns Conservancy
- State Lands Commission
- SWRCB: Clean Water Grants
- SWRCB: Water Quality
- SWRCB: Water Rights
- Tahoe Regional Planning Agency
- Toxic Substances Control, Department of
- Water Resources, Department of
- Other Corps of Engineers
- Other USFWS

PUBLIC REVIEW PERIOD

Starting Date Monday, July 23, 2012

Ending Date August 22, 2012

Signature 
 Patricia Saley, Acting Planning & Env'tal Services Director
 City of Goleta

Date July 20, 2012

LEAD AGENCY (Complete if applicable):

For SCH Use Only:

Consulting Firm: N/A

Date Received at SCH

Address: _____

Date Review Starts

City/State/Zip: _____

Date to Agencies

Contact: _____

Date to SCH

Phone: _____

Clearance Date

APPLICANT

Notes:

NOP Distribution List

County: Santa Barbara

SCH#

2012071071

Resources Agency

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

Fish and Game

- Depart. of Fish & Game
Scott Flint
Environmental Services Division
- Fish & Game Region 1
Donald Koch

- Fish & Game Region 1E
Laurie Harnsberger
- Fish & Game Region 2
Jeff Drongesen
- Fish & Game Region 3
Charles Amorr
- Fish & Game Region 4
Julie Vance
- Fish & Game Region 5
Leslie Newton-Reed
Habitat Conservation Program
- Fish & Game Region 6
Gabrina Gatchel
Habitat Conservation Program
- Fish & Game Region 6 I/M
Brad Henderson
Inyo/Mono, Habitat Conservation Program
- Dept. of Fish & Game M
George Isaac
Marine Region

Other Departments

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

Independent Commissions, Boards

- Delta Protection Commission
Michael Machado
- Cal EMA (Emergency Management Agency)
Dennis Castrillo

- Native American Heritage Comm.
Debbie Treadway
- Public Utilities Commission
Leo Wong
- Santa Monica Bay Restoration
Guangyu Wang
- State Lands Commission
Jennifer Deleong
- Tahoe Regional Planning Agency (TRPA)
Cherry Jacques

Business, Trans & Housing

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

Dept. of Transportation

- Caltrans, District 1
Rex Jackman
- Caltrans, District 2
Marcelino Gonzalez
- Caltrans, District 3
Gary Arnold
- Caltrans, District 4
Erik Alm
- Caltrans, District 5
David Murray
- Caltrans, District 6
Michael Navarro
- Caltrans, District 7
Dianna Watson

- Caltrans, District 8
Dan Kopulsky
- Caltrans, District 9
Gayle Rosander
- Caltrans, District 10
Tom Dumas
- Caltrans, District 11
Jacob Armstrong
- Caltrans, District 12
Marlon Regisford

Cal EPA

Air Resources Board

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

Regional Water Quality Control Board (RWQCB)

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

- Other _____
- _____
- _____
- _____
Conservancy

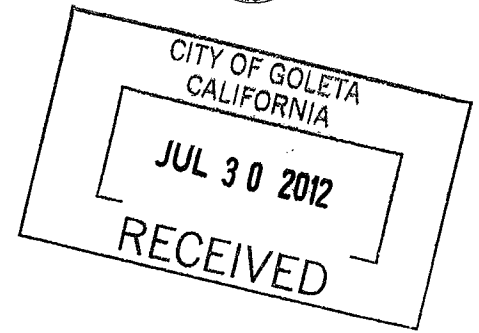
NATIVE AMERICAN HERITAGE COMMISSION

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



July 26, 2012

Pat Saley, Acting Director of Planning & Environmental Services
City of Goleta
130 Cremona Drive, Suite B
Goleta, CA 93117



Re: SCH#2012071071; CEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR) for the Shelby Trust and Kenwood Village LLC General Plan Amendment Project; located in the City of Goleta; Santa Barbara County, California.

Dear Pat Saley:

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

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

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

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

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway. Culturally affiliated tribes and individuals may have knowledge of the religious and cultural

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

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

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

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

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

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

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

Sincerely,



Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

Native American Contact
Santa Barbara County
July 26, 2012

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

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

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

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

Owl Clan
Dr. Kote & Lin A-Lul'Koy Lotah
48825 Sapaque Road
Bradley , CA 93426
mupaka@gmail.com
(805) 472-9536
Chumash

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

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

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

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

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

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2012071071; CEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR) for the Shelby Trust and Kenwood Village LLC General Plan Amendment; located in the City of Goleta; Santa Barbara County, California.

Native American Contact
Santa Barbara County
July 26, 2012

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

Chumash

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

Chumash

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

Chumash

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

Chumash

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

Chumash

Richard Angulo
P.O. Box 935
Salome, AZ 85348

Chumash

Randy Guzman - Folkes
6471 Cornell Circle
Moorpark, CA 93021
ndnRandy@yahoo.com
(805) 905-1675 - cell

Chumash
Fernandeño
Tataviam
Shoshone Paiute
Yaqui

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

Chumash

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

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

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2012071071; CEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR) for the Shelby Trust and Kenwood Village LLC General Plan Amendment; located in the City of Goleta; Santa Barbara County, California.

Native American Contact
Santa Barbara County
July 26, 2012

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

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

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

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

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

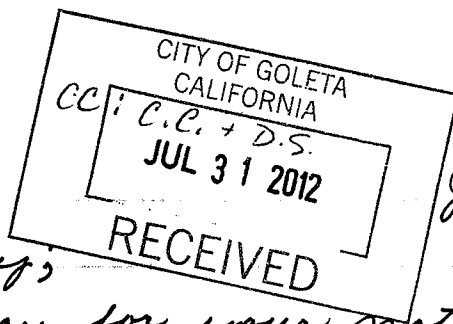
Barbareno/Ventureno Band of Mission Indians
Raudel Joe Banuelos, Jr.
331 Mira Flores Court Chumash
Camarillo , CA 93012
805-987-5314

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

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

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

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2012071071; CEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR) for the Shelby Trust and Kenwood Village LLC General Plan Amendment; located in the City of Goleta; Santa Barbara County, California.



July 30, 2012

Dear Mr. Saley,

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

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

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

Sincerely,
William + Amarillis
Bridges



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

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

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

A. CALL MEETING TO ORDER

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

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

B. PUBLIC HEARING

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

Change Order of Agenda:

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

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

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

Staff presentation:
Shine Ling, Associate Planner

Speakers:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Staff presentation:
Shine Ling, Associate Planner

Speakers:

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

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

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

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

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

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

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

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

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

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

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

Staff presentation:
Shine Ling, Associate Planner

Speakers:

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

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

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

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

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

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

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

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

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

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

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

C. ADJOURNMENT: 8:15 P.M.

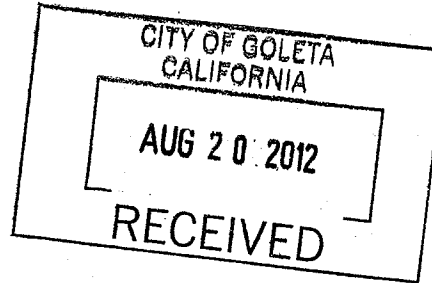


South Coast Region
3883 Ruffin Road
San Diego, CA 92123
(858) 467-4201
<http://www.dfg.ca.gov>



August 14, 2012

Pat Saley
City of Goleta
130 Cremona Drive, Ste. B
Goleta, CA 93117
Fax No.: (805) 961-7551



Subject: Notice of Preparation of a Draft Environmental Impact Report for the Shelby Trust and Kenwood Village LLC General Plan Amendment Project, SCH #2012071071, Santa Barbara County

Dear Ms. Saley:

The Department of Fish and Game (Department) appreciates this opportunity to comment on the above-referenced project, relative to impacts to biological resources. The proposed project involves amending the City of Goleta's (City) General Plan to change the land use designations on two separate City parcels. The parcels would change from Agriculture to a non-Agriculture land use to allow residential development. The Shelby parcel is 14.38 acres located at 7400 Cathedral Oaks Road. The Kenwood parcel is 10 acres located on Calle Real between Baker Lane and Ellwood Station Road.

The Department is California's trustee agency for fish and wildlife resources, holding these resources in trust for the People of State pursuant to various provisions of the California Fish and Game Code. (Fish & G. Code, §§ 711.7, subd. (a), 1802). The Department submits these comments in that capacity under the California Environmental Quality Act (CEQA). (See generally Pub. Resources Code, §§ 21070; 21080.4).

The California Wildlife Action Plan, a recent Department guidance document, identified the following stressors affecting wildlife and habitats within the project area: 1) growth and development; 2) water management conflicts and degradation of aquatic ecosystems; 3) invasive species; 4) intensive agriculture; 5) excessive livestock grazing; and 6) recreational pressures. The Department looks forward to working with the City to minimize impacts to fish and wildlife resources with a focus on these stressors.

To enable Department staff to adequately review and comment on the proposed project we recommend the following information, where applicable, be included in the draft Environmental Impact Report:

- 1) A complete, recent assessment of flora and fauna within and adjacent to the project area, with particular emphasis upon identifying endangered, threatened, and locally unique species and sensitive habitats.
 - a) A thorough recent assessment of rare plants and rare natural communities, following the Department's Guidelines for Assessing Impacts to Rare Plants and Rare Natural Communities (http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/Protocols_for_Surveying_and_Evaluating_Impacts.pdf).

- b) A complete, recent assessment of sensitive fish, wildlife, reptile, and amphibian species. Seasonal variations in use of the project area should also be addressed. Recent, focused, species-specific surveys, conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures should be developed in consultation with the Department and U.S. Fish and Wildlife Service.
 - c) Rare, threatened, and endangered species to be addressed should include all those which meet the California Environmental Quality Act (CEQA) definition (see CEQA Guidelines, § 15380).
 - d) The Department's Biogeographic Data Branch in Sacramento should be contacted at (916) 322-2493 (www.dfg.ca.gov/biogeodata) to obtain current information on any previously reported sensitive species and habitats, including Significant Natural Areas identified under Chapter 12 of the Fish and Game Code. Also, any Significant Ecological Areas (SEAs), Significant Natural Areas (SNAs), or Environmentally Sensitive Habitats (ESHs) or any areas that are considered sensitive by the local jurisdiction located in or adjacent to the project area must be addressed.
- 2) A thorough discussion of direct, indirect, and cumulative impacts expected to adversely affect biological resources, with specific measures to offset such impacts. This discussion should focus on maximizing avoidance, and minimizing impacts.
- a) CEQA Guidelines, § 15125(a), direct that knowledge of the regional setting is critical to an assessment of environmental impacts and that special emphasis should be placed on resources that are rare or unique to the region.
 - b) CEQA requires a lead agency to consider the whole of the action when analyzing a project's environmental impacts (CEQA Guidelines §15063(a)(1), §15378). This includes activities that lead to reasonably foreseeable indirect effects which are actual or potential (CEQA Guidelines §15064(d)). The proposed changes in land use designation on the parcels are intended to allow for greater development than is currently allowed. An increase in development on the parcels would constitute a reasonably foreseeable indirect effect of the proposed project. The Draft Environmental Impact Report should therefore contain detailed descriptions of planned development on the parcels and the potential impacts to resources resulting from development.
 - c) Project impacts should also be analyzed relative to their effects on off-site habitats and populations. Specifically, this should include nearby public lands, open space, adjacent natural habitats, and riparian ecosystems. Impacts to and maintenance of wildlife corridor/movement areas, including access to undisturbed habitat in adjacent areas, should be fully evaluated and provided. The analysis should also include a discussion of the potential for impacts resulting from such effects as increased vehicle traffic and outdoor artificial night lighting.
 - d) A cumulative effects analysis should be developed as described under CEQA Guidelines, § 15130. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts on similar plant communities and wildlife habitats.

- e) Impacts to migratory wildlife affected by the project should be fully evaluated. This can include such elements as migratory butterfly roost sites and neo-tropical bird and waterfowl stop-over and staging sites. All migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R. Section 10.13). Sections 3503, 3503.5 and 3513 of the California Fish and Game Code prohibit take of birds and their active nests, including raptors and other migratory nongame birds as listed under the MBTA.
 - f) Proposed project activities (including disturbances to vegetation) should take place outside of the breeding bird season (February 1- August 15) to avoid take (including disturbances which would cause abandonment of active nests containing eggs and/or young). If project activities cannot avoid the breeding bird season, nest surveys should be conducted and active nests should be avoided and provided with a minimum buffer as determined by a biological monitor (the Department recommends a minimum 500 foot buffer for all active raptor nests).
 - g) Impacts to all habitats from City or County required Fuel Modification Zones (FMZ) should be fully evaluated. Areas slated as mitigation for loss of habitat shall not occur within the FMZ.
- 3) An EIR shall describe feasible measures which could minimize significant adverse impacts (CEQA Guidelines §15126.4(a)(1)). Mitigation measures for project impacts to sensitive plants, animals, and habitats should emphasize evaluation and selection of alternatives which avoid or otherwise minimize impacts. Compensation for unavoidable impacts through acquisition and protection of high quality habitat elsewhere should be addressed.
- a) The Department considers Rare Natural Communities as threatened habitats having both regional and local significance. Thus, these communities should be fully avoided and otherwise protected from project-related impacts. The List of California Terrestrial Natural Communities is available on request or may be viewed and downloaded online by visiting the Department's website at http://www.dfg.ca.gov/biogeodata/vegcamp/pdfs/NaturalCommunitiesList_Oct07.pdf.
 - b) The Department generally does not support the use of relocation, salvage, and/or transplantation as mitigation for impacts to rare, threatened, or endangered species. Department studies have shown that these efforts are experimental in nature and largely unsuccessful.
- 4) A range of alternatives should be analyzed to ensure that alternatives to the proposed project are fully considered and evaluated. A range of alternatives which avoid or otherwise minimize impacts to sensitive biological resources including wetlands/riparian habitats, alluvial scrub, coastal sage scrub, native woodlands, etc. should be included. Specific alternative locations should also be evaluated in areas with lower resource sensitivity where appropriate.
- 5) An Incidental Take Permit (ITP) from the Department may be required if the project, project construction, or any project-related activity during the life of the project will result in "take" as defined by the Fish and Game Code of any species protected by CESA (Fish & G. Code, §§86, 2080, 2081, subd. (b), (c)). Early consultation with the Department regarding potential permitting obligations under CESA with respect to the project is encouraged (Cal. Code Regs., tit. 14, § 783.2, subd. (b)). It is imperative with these potential permitting obligations

that the draft environmental impact report prepared by the City in the present case includes a thorough and robust analysis of the potentially significant impacts to endangered, rare, and threatened species, and their habitat, that may occur as a result of the proposed project. For any such potentially significant impacts the City should also analyze and describe specific, potentially feasible mitigation measures to avoid or substantially lessen any such impacts as required by CEQA and, if an ITP is necessary, as required by the relevant permitting criteria prescribed by Fish and Game Code section 2081, subdivisions (b) and (c). The failure to include this analysis in the project environmental impact report could preclude the Department from relying on the City's analysis to issue an ITP without the Department first conducting its own, separate lead agency subsequent or supplemental analysis for the project (See, e.g., Cal. Code Regs., tit. 14, § 15096, subd. (f); Pub. Resources Code, § 21166). For these reasons, the following information is requested:

- a) Biological mitigation monitoring and reporting proposals should be of sufficient detail and resolution to satisfy the requirements for a CESA Permit.
 - b) A Department-approved Mitigation Agreement and Mitigation Plan are required for plants listed as rare under the Native Plant Protection Act.
- 6) The Department opposes the elimination of watercourses and/or their channelization or conversion to subsurface drains. All wetlands and watercourses, whether intermittent, ephemeral, or perennial, must be retained and provided with substantial setbacks which preserve the riparian and aquatic habitat values and maintain their value to on-site and off-site wildlife populations.
- a) The Department also has regulatory authority with regard to activities occurring in streams and/or lakes that could adversely affect any fish or wildlife resource. For any activity that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) of a river or stream, or use material from a streambed, the project applicant (or "entity") must provide written notification to the Department pursuant to Section 1600 et seq. of the Fish and Game Code. Based on this notification and other information, the Department then determines whether a Lake and Streambed Alteration (LSA) Agreement is required. To facilitate our issuance of the agreement when CEQA applies, the Department as a responsible agency under CEQA may consider the local jurisdiction's (lead agency) document for the project. To minimize additional requirements by the Department under CEQA the document should fully identify the potential impacts to the lake, stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for issuance of the agreement. Early consultation is recommended, since modification of the proposed project may be required to avoid or reduce impacts to fish and wildlife resources.

The Department suggests a pre-project or early consultation planning meeting for all projects. To make an appointment, please call Martin Potter, Environmental Scientist, at (805) 640-3677. Thank you for this opportunity to provide comment.

Sincerely,



Betty Courtney
Senior Environmental Scientist
South Coast Region

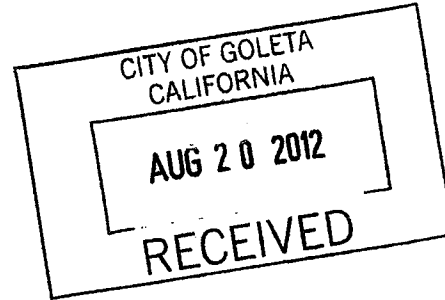
cc: Ms. Betty Courtney, CDFG, Santa Clarita
Mr. Martin Potter, CDFG, Ojai
Ms. Natasha Lohmus, CDFG, Carpinteria
Ms. Mary Meyer, CDFG, Ojai
Mr. Scott Morgan, State Clearinghouse, Sacramento



**Santa Barbara County
Air Pollution Control District**

August 17, 2012

Patricia Saley
City of Goleta Planning & Environmental Services
130 Cremona Drive, Suite B
Goleta, CA 93117



**Re: APCD Comments on Kenwood Village General Plan Amendment and Project EIRs
12-EIR-003, 12-EIR-004, 08-205-GPA, -RZ, -TTM, -DP, -CUP**

Dear Ms. Saley:

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

- The General Plan Amendment (12-EIR-003) involves: amendment of the city's Land Use Plan Map to change the property's designations from Agriculture, Planned Residential 8, and Single-Family Residential to Planned Residential, amendment of the test of the Conservation Element Subpolicy CE 11.2 relating to Conversion of Agricultural Lands, and amendment of the Open Space Map of the Open Space Element to remove the property.
- The proposed residential subdivision (12-EIR-004) consists of a tract map to create 65 lots and construction of 13 single-family and 47 multi-family dwelling units. A rezone is also proposed to change the existing zoning designations from Design Residential 4.6, Single Family Residential, and Limited Commercial to Planned Residential Development. Grading for the project consists of 41,000 cubic yards of cut and 50,000 cubic yards of fill and 9,000 cubic yards of import.

The subject 10-acre site consists of three vacant parcels identified in the Assessor Parcel Map Book as APN 077-130-006, 077-130-019, and 077-141-049, with multiple zoning designations including Design Residential 4.6, Single Family Residential, and Limited Commercial. The project area is generally located west of El Encanto Creek, east of residential development on Baker Lane, south of residential development on Tuolumne Drive, and north of Calle Real and Highway 101 in the city of Goleta.

The EIR Scoping Document for the proposed residential subdivision (12-EIR-004) determined that Air Quality and Greenhouse Gas Emissions were effects not found to be significant and therefore will not be analyzed in the EIR. However, APCD staff offers the following comment on the environmental analysis in the Scoping Document:

1. **Proximity to Highway 101.** The proposed project includes the redesignation of land uses from Agriculture to Planned Residential and construction of residences approximately 100 feet from Highway 101. APCD staff recommends that sensitive land uses, such as residential, should not be sited within 500 feet of the U.S. 101 freeway. This is based on guidance from the California Resources Board (Air Quality and Land Use Handbook: A Community Health Perspective, CARB,

April 2005) and supplemented by information gathered by APCD, summarized in the attached "Public Health and High Traffic Roadways". This recommendation is based on a number of proximity studies that were conducted in areas throughout the state. The studies link traffic-related air pollutant emissions to a number of health effects, such as increased cancer risk, reduced lung function, increased asthma and bronchitis, and increased medical visits.

Siting of sensitive receptors within 500 feet of the freeway increases the occurrence of respiratory illness for future residents in the project area, and should be discussed in the Air Quality section of the environmental document. The City of Goleta's General Plan Conservation Element Subpolicy CE 12.1 states that review of land use designation and new development within 500 feet of Highway 101 shall ensure that health risk to new sensitive receptors be adequately analyzed, and the project set back and mitigated to minimize health risk. We recommend discussing the project's consistency with this General Plan policy.

If new development is proposed within the recommended 500 foot buffer area, we recommend that the project be designed to minimize exposure to roadway-related pollutants and mitigated to the maximum extent feasible. Design features may include maximizing the distance between the roadway and sensitive receptors, locating air intake at non-roadway facing side of buildings and ensuring that windows nearest to the roadway do not open. Mitigation measures may include installing mechanical ventilation systems with fresh air filtration and constructing a physical barrier between the roadway source and receptors of pollutants (e.g., sound wall or vegetative planting).

The Air Pollution Control District also offers the following suggested permit conditions:

1. Standard dust mitigations (**Attachment A**) are recommended for all construction and/or grading activities. The name and telephone number of an on-site contact person must be provided to the APCD prior to issuance of land use clearance.
2. APCD Rule 345, *Control of Fugitive Dust from Construction and Demolition Activities* establishes limits on the generation of visible fugitive dust emissions at demolition and construction sites. The rule includes measures for minimizing fugitive dust from on-site activities and from trucks moving on- and off-site. The text of the rule can be viewed on the APCD website at www.sbcapcd.org/rules/download/rule345.pdf.
3. Fine particulate emissions from diesel equipment exhaust are classified as carcinogenic by the State of California. Therefore, during project grading, construction, and hauling, construction contracts must specify that contractors shall adhere to the requirements listed in **Attachment B** to reduce emissions of ozone precursors and fine particulate emissions from diesel exhaust.
4. All portable diesel-fired construction engines rated at 50 brake-horsepower or greater must have either statewide Portable Equipment Registration Program (PERP) certificates or APCD permits prior to operation. Construction engines with PERP certificates are exempt from APCD permit, provided they will be on-site for less than 12 months.
5. At a minimum, prior to occupancy any feasible greenhouse gas reduction measures from the following sector-based list should be applied to the project:

- Energy use (energy efficiency, low carbon fuels, renewable energy)
- Transportation (reduce vehicle miles traveled, compact and transit-oriented development, pedestrian- and bicycle-friendly communities)
- Water conservation (improved practices and equipment, landscaping)
- Waste reduction (material re-use/recycling, composting, waste diversion, waste minimization)
- Architectural features (green building practices, cool roofs)

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

If you or the project applicant have any questions regarding these comments, please feel free to contact me at (805) 961-8893 or via email at edg@sbcapcd.org.

Sincerely,



Eric Gage,
Air Quality Specialist

Technology and Environmental Assessment Division

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

cc: Project File
TEA Chron File



ATTACHMENT A
FUGITIVE DUST CONTROL MEASURES

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

- During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this should include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency should be required whenever the wind speed exceeds 15 mph. Reclaimed water should be used whenever possible. However, reclaimed water should not be used in or around crops for human consumption.
- Minimize amount of disturbed area and reduce on site vehicle speeds to 15 miles per hour or less.
- If importation, exportation and stockpiling of fill material is involved, soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation. Trucks transporting fill material to and from the site shall be tarped from the point of origin.
- Gravel pads shall be installed at all access points to prevent tracking of mud onto public roads.
- After clearing, grading, earth moving or excavation is completed, treat the disturbed area by watering, or revegetating, or by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur.
- The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution Control District prior to land use clearance for map recordation and land use clearance for finish grading of the structure.

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

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



ATTACHMENT B
DIESEL PARTICULATE AND NO_x EMISSION MEASURES

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

The following measures are required by state law:

- All portable diesel-powered construction equipment shall be registered with the state's portable equipment registration program OR shall obtain an APCD permit.
- Fleet owners of mobile construction equipment are subject to the California Air Resource Board (CARB) Regulation for In-use Off-road Diesel Vehicles (Title 13 California Code of Regulations, Chapter 9, § 2449), the purpose of which is to reduce diesel particulate matter (PM) and criteria pollutant emissions from in-use (existing) off-road diesel-fueled vehicles. For more information, please refer to the CARB website at www.arb.ca.gov/msprog/ordiesel/ordiesel.htm.
- All commercial diesel vehicles are subject to Title 13, § 2485 of the California Code of Regulations, limiting engine idling time. Idling of heavy-duty diesel construction equipment and trucks during loading and unloading shall be limited to five minutes; electric auxiliary power units should be used whenever possible.

The following measures are recommended:

- Diesel construction equipment meeting the California Air Resources Board (CARB) Tier 1 emission standards for off-road heavy-duty diesel engines shall be used. Equipment meeting CARB Tier 2 or higher emission standards should be used to the maximum extent feasible.
- Diesel powered equipment should be replaced by electric equipment whenever feasible.
- If feasible, diesel construction equipment shall be equipped with selective catalytic reduction systems, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California.
- Catalytic converters shall be installed on gasoline-powered equipment, if feasible.
- All construction equipment shall be maintained in tune per the manufacturer's specifications.
- The engine size of construction equipment shall be the minimum practical size.
- The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.
- Construction worker trips should be minimized by requiring carpooling and by providing for lunch onsite.

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

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

County of Santa Barbara Planning and Development

Glenn S. Russell, Ph.D., Director

Dianne Black, Assistant Director



August 15, 2012

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

RE: Comments on the Shelby Trust Residential Subdivision Project, Shelby Trust
Subdivision/Kenwood Village LLC Project General Plan Amendments

Dear Ms. Saley:

Thank you for the opportunity to comment on the Notice of Preparation for the Shelby Trust Subdivision Project and General Plan Amendments. The Planning and Development Department submits the following comments for your consideration in preparing the Draft Environmental Impact Reports (DEIR):

Biological Resources:

The DEIR should include an analysis of potentially significant effects on biological resources beyond the extent of the proposed project site and the City of Goleta's jurisdictional boundary. Project related work identified in the scoping document could have both a project effect and a cumulative effect on nearby resources located in the unincorporated area of the County, such as riparian corridor and wildlife habitat. Pursuant to CEQA §15126.4 (a)(1), appropriate mitigation should be included to address any significant adverse impacts.

Cultural Resources:

The DEIR should include an updated analysis of the cumulative effect on cultural resources in the vicinity, including sensitive archeological sites to the west of the project site. The DEIR should include a discussion of possible project alternatives that could avoid impacts to sensitive archeological resources. Pursuant to CEQA §15126.4 (a)(1), appropriate mitigation should be included to address any significant adverse impacts.

Fire Hazards:

The Goleta General Plan FEIR identified a significant impact to fire protection services with build-out of the General Plan, but mitigated this cumulative impact with the addition of a new fire station in western Goleta. The DEIR should identify impacts and discuss progress towards the completion of a new fire station.



Fire Department

"Serving the community since 1926"

HEADQUARTERS

4410 Cathedral Oaks Road
Santa Barbara, CA 93110-1042
(805) 681-5500 FAX: (805) 681-5563

Michael W. Dyer
Fire Chief
County Fire Warden

Christian J. Hahn
Deputy Fire Chief

August 10, 2012

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

Dear Ms. Saley:

SUBJECT: City of Goleta NOP for the Shelby Trust Subdivision Project
and General Plan Amendments

Fire Department staff has reviewed the above referenced project and has no comments on the project as presented at this time.

As always, if you have any questions or require further information, please call 805-681-5523 or 805-681-5500.

In the interest of life and fire safety,

Eric Peterson
Division Chief/Fire Marshal

EP: mkb

Housing:

The Subdivision Project Scoping Notice states that housing would be evaluated as part of the General Plan Amendment EIR, and thus the potential population and housing impacts associated with the project are assumed to have been addressed. However, the General Plan Amendment Scoping Notice does not mention housing. The General Plan Amendment EIR should discuss housing and consistency with the City of Goleta Housing Element.

Recreation:

The DEIR should include a discussion and analysis of project effects on the adopted on-road trail along Cathedral Oaks Road. Pursuant to CEQA §15126.4 (a)(1), appropriate mitigation should be included to address any significant adverse impacts.

Transportation/Traffic:

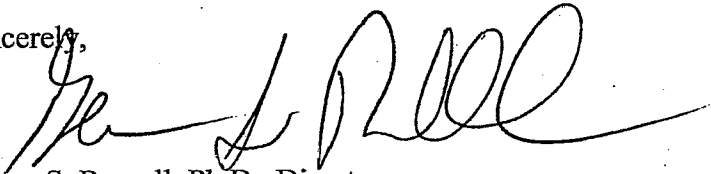
The DEIR should include a discussion of potential impacts to County of Santa Barbara circulation infrastructure as result of increased traffic. This should include an analysis of potential impacts to intersections, bicycle routes, pedestrian access, transit routes, and designated safe routes to school that are located within surrounding unincorporated areas. Traffic should be considered cumulatively with reasonably foreseeable projects, such as development of Glen Annie Golf Club and the Bishop Ranch. Pursuant to CEQA §15126.4 (a)(1), appropriate mitigation should be included to address any significant adverse impacts. This discussion should include the County of Santa Barbara as a review authority for impacts to intersections and infrastructure in the unincorporated area of the County.

Visual Resources:

The DEIR should include an analysis of any potentially significant effects on public views from unincorporated County land and impacts to the rural character of the area. Pursuant to CEQA §15126.4 (a)(1), appropriate mitigation should be included to address these potential impacts.

If you have any questions or comments regarding this letter, or would like to discuss these issues further, please call Holly Harris, Planner, at (805) 568-3577.

Sincerely,



Glenn S. Russell, Ph.D., Director

Cc: Case File
Holly Harris, Planner, P&D

Pat Saley

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

Dear Ms. Saley and Mr. Ling:

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

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

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

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

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

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

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

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

Sincerely yours,

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

August 22, 2012

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



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

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

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

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

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

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

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

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

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

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

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

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

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

How deep did the Phase 1 Archaeological Survey go? If it went less than 13 feet, then at least spot sampling of the area should be done to that dept.

Why is the public not informed of who are the Native American contacts for the site?

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

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

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

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

The segment of El Encanto Creek bordering the site is mapped as an Environmentally Sensitive Habitat Area (ESHA) and consequently shall maintain the 100 foot Streamside Protection Area (SPA). There is the potential of introducing petroleum products and landscape chemicals into the storm water flow that then will be discharged into el Encanto Creek and will end up in the receiving waters of the Deveraux Slough affecting it and its wildlife.

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

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

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

more

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

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

Date: Thursday, January 28, 2010 11:59 AM

From: Terry E. Dressler <dresslert@sbcapcd.org>

To: docoxie1@cox.net <docoxie1@cox.net>

Subject: RE: Guidance Re: Locating Residences Near Freeways

Dr. Cox,

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

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

I hope this addresses your question.

Terry



**Santa Barbara County
Air Pollution Control District**

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

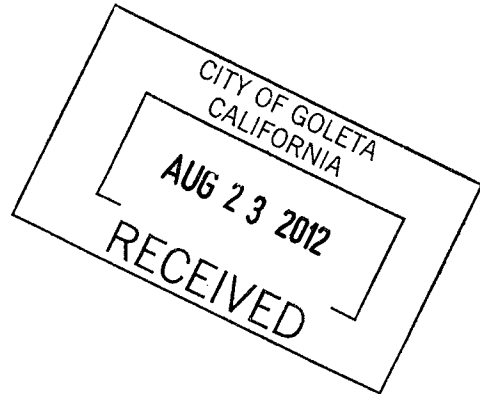
Our Vision  Clean Air

Terry Dressler
Air Pollution Control Officer

DresslerT@sbcapcd.org

August 22, 2012

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



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

Ms. Saley:

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

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

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

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

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

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

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

Thank you for your time,

Maggie and David Friedlander

David Friedlander

Maggie and David Friedlander
7281 Tuolumne Drive
Goleta, CA 93117

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

Dear Patricia Saley and Shine Ling:

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

Neither the Shelby Trust Subdivision or Kenwood Village take into consideration lack of water, traffic expansion and lack of realistic parking.

At this point in time we need to focus on filling the empty homes in our neighborhoods which are turning our neighborhoods in slums.

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

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

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

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

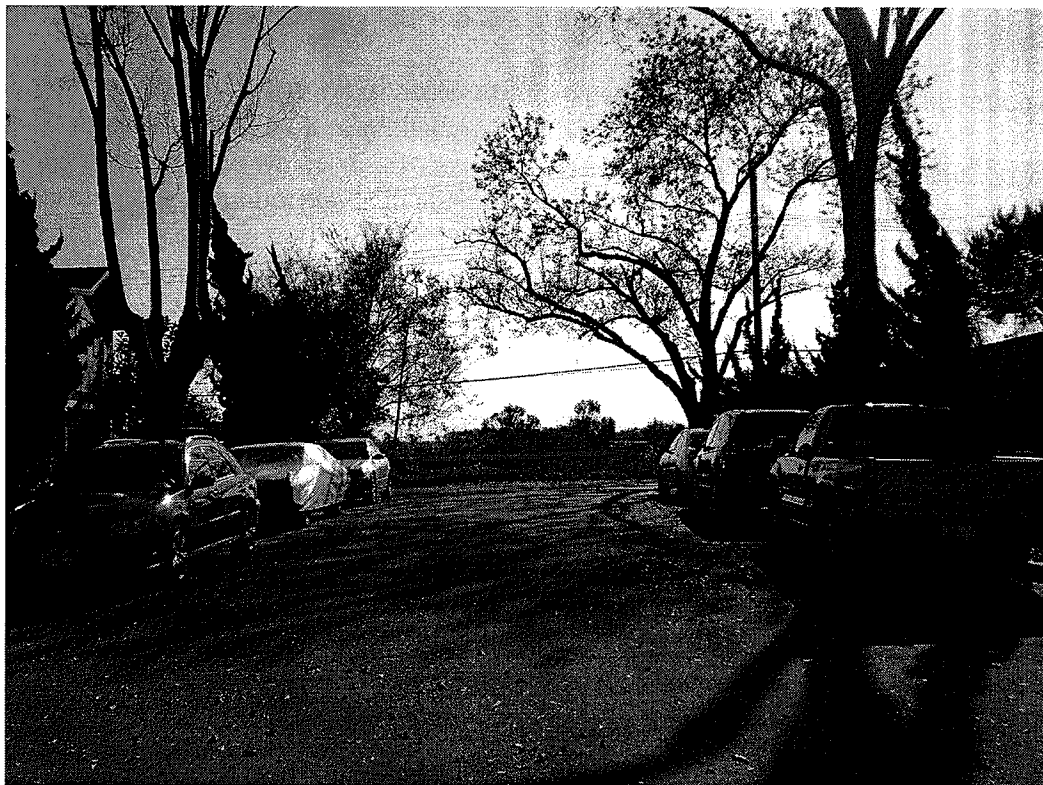
This is a popular hunting and sometimes nesting grounds for the White Tailed Kites. A beautiful unique bird that can hover above the ground when looking for prey. These like most raptors require a lot of open space for hunting to insure their survival.

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

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

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

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



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



PEIKERT GROUP ARCHITECTS, LLP

RECEIVED

AUG 23 2012

City of Goleta
Planning & Environmental Svcs.

August 23, 2012

Ms. Pat Saley
City of Goleta
Planning & Environmental Services
130 Cremona Drive, Suite B
Goleta, CA 93117

SUBJECT: Comments on the Notice of Preparation for Environmental Impact Report (12-EIR-003) for Kenwood Village; 08-205-GPA and the Shelby Trust; 05-154-GPA

Dear Pat,

Thank you for the opportunity to review and comment on the scope of the environmental impact report (EIR) for the proposed General Plan Amendments needed to approve the Kenwood Village project. We appreciate staff's effort to ensure that an adequate EIR that addresses the key issues is prepared. We generally agree with the majority of the information provided in the scoping document, but we do have a few specific comments and corrections. A summary of the comments are provided below.

Comments on the EIR Scope

1.0 PROJECT DESCRIPTION

Please note that one of the Assessor Parcel Numbers for the Kenwood Village Site is missing from the written description and from Table 1. Please add APN 077-141-049. The written description also has an inaccurate APN – please change APN 77-130-066 to 77-130-006.

The written description (paragraph 3) states that the “existing land use designation of the Kenwood Village LLC property would not allow for the proposed residential development” it should read that the “existing land use designation of the lower portion of the Kenwood Village LLC...” In addition, the following sentence in the paragraph states that the proposed GPA would “allow for the conversion of the property from the Agriculture and Single Family Residential land use designation to a non-agriculture land use designation allowing residential development on the entirety of the property.” We suggest that it be characterized in the EIR in the following manner: “allow for the conversion of the property from the Agriculture and Single Family Residential land use designation to a Planned Residential designation that would

10 EAST FIGUEROA STREET, SUITE 1 ■ SANTA BARBARA ■ CALIFORNIA ■ 93101 ■ T 805 963 8283 ■ F 805 963 8184

WWW.PEIKERTGROUP.COM

Ms. Pat Saley
August 23, 2012
Page 2

allow for both single family and multi-family residential development on the entirety of the property.”

In Table 1 indicates that 3.9 acres of agricultural land would be converted. The area designated for Agriculture actually totals 3.7 acres and the area designated Residential is 6.3 acres. This revision is based on a careful study of the different designation areas during the agricultural viability analysis.

1.3 Open Space Element, Open Space Plan Map (Figure 3-5 in the GP/CLUP)

Please note that the upper 6.2 acres of the Kenwood Village project site was incorrectly designated as open space on the General Plan Open Space map (confirmed by City staff). The process to remove the open space designation for the lower 3.7 acres, proposed by the Applicant, will allow the City to correct this mistake.

2.0 BACKGROUND

2.2 Existing Setting

Please note that one of the Assessor Parcel Numbers for the Kenwood Village Site is missing from the first paragraph - please add APN 077-141-049.

3.0 SCOPE OF ANALYSIS IN SUPPLEMENTAL EIR

Table 3 shows that APN 077-130-019 has an Agricultural designation, but only a portion of APN 077-130-006 has this designation. As noted above, the total number of acres is actually 3.7 acres rather than 3.8 acres.

Part 1 – Changes to impacts and/or mitigation measures identified by the GP/CLUP EIR

In the third paragraph the City discusses how the proposed changes to Policy CE 11.2 will be analyzed. It is stated that the analysis “will not include a detailed, site-specific analysis of the potential satisfaction of the criteria set forth in the proposed amendment to the Conservation Element, Subpolicy CE11.2 by each parcel with an Agriculture land use designation. Such analysis will be done when an application for a conversion of those parcels is filed and the City is able to undertake that detailed, site-specific analysis.” However, the proposed amendment to CE 11.2 was crafted to limit the number of potential conversions that would be possible. We request that the EIR consultant prepare a cursory analysis, at a minimum, to demonstrate whether any of the other parcels designated Agriculture within the City limits could be

Ms. Pat Saley
August 23, 2012
Page 3

converted under the proposed policy language. We believe that no other parcels could meet the conversion criteria.

Part 2 – Land use designation change from Agriculture to Single-Family Residential for Shelby Trust property and Agriculture and Single-Family Residential to Planned Residential for Kenwood Village LLC property

We request that the EIR acknowledge that Mr. Alker is requesting a maximum density of 6 units per acre under the proposed Planned Residential Development designation. Therefore, “the maximum potential development under the proposed GP/CLUP land use” designation that would be analyzed in the EIR would be 60 residential units.

Additional Information on Agricultural Resources

As part of the development application, information regarding the viability of the land designated as Agriculture was submitted to the City. The project team prepared and submitted an assessment of the site’s viability using the City’s Environmental Thresholds and Guidelines – Agriculture Resource Guidelines and the State Department of Conservation’s Land Evaluation and Site Assessment (LESA) model. Both the guidelines and model employ a point system for measuring viability. The land designated for Agriculture was shown to be unviable under both the City’s Environmental Thresholds and Guidelines and the State’s LESA model. We request that this information be provided to the EIR consultant and that it be incorporated into the EIR.

Conclusion

Again, we thank you for the opportunity to comment on the scope of the document. We look forward to working with staff and the EIR consultant to complete this document in a timely and complete manner. Please do not hesitate to contact me with any questions regarding the information contained herein.

Sincerely,



Lisa Plowman
Planning Manager

XC: Mr. Ken Alker

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