

APPENDIX A
NOTICE OF PREPARATION



July 25, 2008

To: Whom It May Concern

Subject: Notice of Preparation of the City of Goleta General Plan / Coastal Land Use Plan Track 3 Draft Supplemental EIR

CITY COUNCIL
Michael T. Bennett
Mayor

Roger S. Aceves
Mayor Pro Tempore

Jean W. Blois
Councilmember

Eric Onnen
Councilmember

Jonny Wallis
Councilmember

CITY MANAGER
Daniel Singer

The City of Goleta, as Lead Agency, is preparing a program-level draft Supplemental Environmental Impact Report (SEIR) to address the potential new or modified environmental impacts associated with selected revisions (called "Track 3") to the City's adopted General Plan / Coastal Land Use Plan (GP/CLUP) as amended. Pursuant to California Environmental Quality Act (CEQA) (CEQA Sections 15082, 15103, and 15375). The purpose of this letter is to provide responsible and trustee agencies with the SEIR Notice of Preparation (NOP) and to solicit guidance from those agencies as to the scope and content of the environmental information to be included in the draft SEIR. The City held numerous public meetings in fall 2007 and January 2008 where the community had the opportunity to comment on the scope and range of environmental issues associated with the proposed amendments. The City of Goleta will use these additional responses to this NOP to verify important issues and focus the scope and content of the draft SEIR.

This NOP provides information regarding the comment period, contact information, the project location, a description of the project, and a summary of the probable environmental effects associated with implementing revisions to the GP/CLUP.

1. COMMENT PERIOD AND CONTACT INFORMATION

Due to the time limits mandated by state law, your response must be sent at the earliest possible date but no later than 30 days after receipt of this notice. **The deadline for receipt of comments on the NOP is 5:00 p.m. on Thursday, August 28, 2008.** Comments including the contact person in your organization must be sent to the City of Goleta via U.S. Mail or e-mail as follows:

Anne Wells, Advance Planning Manager
City of Goleta
130 Cremona Drive, Suite B
Goleta, CA 93117
Phone: (805) 961-7557; Fax: (805) 685-2635
E-mail: awells@cityofgoleta.org

The proposed Track 3 revisions to the City's adopted GP/CLUP, as amended, are attached to this NOP and available for review at the above location and have been posted on the website (www.cityofgoleta.org).

2. PROJECT LOCATION

The project location includes the entire territory within the geographic area of the incorporated City limits, including a population of approximately 30,000. As of adoption of the City's GP/CLUP in September 2006, this area included approximately 7.9 square miles, comprising a total of 5,075 acres. In developing the GP/CLUP, the City studied an area of approximately 95 square miles where future development might impact the City or where City plans and policies might have affects outside the City boundaries.

The map on the following page shows the City and its environs. The City is located in southern Santa Barbara County, California west of the City of Santa Barbara between the foothills of the Santa Ynez Mountains and the Pacific Ocean. The area is generally referred to as the "Goleta Valley." The City is bisected by Highway 101 which extends in an east-west alignment across the City. State Route 217 connects Highway 101 with UCSB to the south.

Portions of the City are bordered by the University of California at Santa Barbara and by the City of Santa Barbara, including the Santa Barbara Airport. The southern portions of the City are within the California Coastal Zone subject to the jurisdiction of the California Coastal Commission.

3. BACKGROUND

The GP/CLUP was adopted in October 2006 and is the primary means for guiding future change in Goleta as the City faces decisions about growth, housing, environmental protection, neighborhood compatibility/ preservation, public facilities/services, and transportation. The final EIR addressing the potential environmental impacts of the GP/CLUP was certified in October 2006 (and is available at www.cityofgoleta.org).

In March 2007, the City Council initiated a process for reopening the GP/CLUP to consider the inclusion of suggested amendments by City staff, the public-at-large, landowners, developers, special interest groups and individuals. Those City-initiated amendments were subsequently grouped into five categories: *Track 1* for Housing Element revisions to respond to State Department of Housing and Community Development Department comments; *Track 2* for minor technical or editorial revisions presenting no new significant environmental impacts; *Track 3* for revisions meriting more detailed review as to their potential impacts; *Track 4* for project-sponsored amendments; and *Track 5* for Sphere of Influence.

The City's environmental consultant, ICF Jones & Stokes, is evaluating environmental impacts associated with the Track 3 amendments. Other amendments have been addressed under the Track 2 Addendum process. The City adopted a CEQA Addendum for Track 2 revisions on June 17, 2008 when the Track 2 General Plan Amendments were adopted by the City Council.

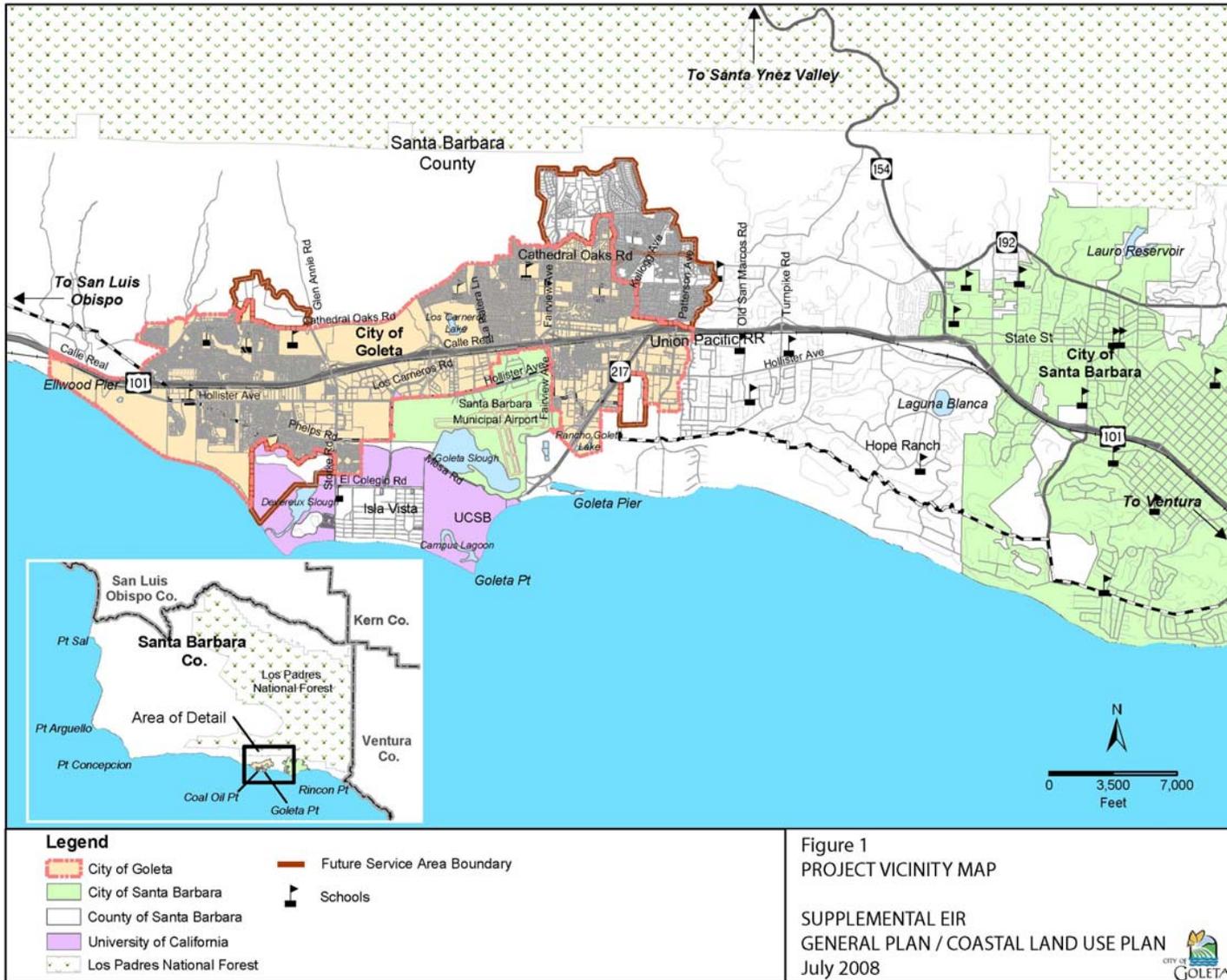


Figure 1
PROJECT VICINITY MAP
SUPPLEMENTAL EIR
GENERAL PLAN / COASTAL LAND USE PLAN
July 2008



4. PROJECT DESCRIPTION AND ALTERNATIVES

The SEIR includes the certified final EIR and addendum thereto by reference, and addresses new or modified environmental impacts associated with selected revisions to the GP/CLUP. The scope of analysis contained within the SEIR addresses each of the environmental resource areas that were previously analyzed in the certified final EIR:

- aesthetics and visual resources;
- agriculture and farmland;
- air quality;
- biological resources;
- cultural resources;
- geology, soils, and mineral resources;
- hazards and hazardous materials;
- population and housing;
- water resources;
- land use and recreation;
- noise;
- public services and utilities; and
- transportation and circulation.

Additionally, the SEIR will address green house gas emissions (GHG), as required per recent State regulations.

The attached Table NOP-1, “Track 3 Policies: City-Initiated Revisions and Staff Recommendations,” provides a tabular summary of the policies that the City has initiated for review in the SEIR. All proposed revisions are to existing policies and related information in the GP/CLUP. No revisions are proposed to the guiding principles and goals of the overall Plan or individual elements, and no new policies are proposed.

The following alternatives are presented:

- **Alternative 1 - No Changes:** This alternative is the “No Project” alternative as defined in CEQA. This alternative represents the continuation of the existing GP/CLUP policies. It provides the basis for comparing the impacts of not amending or amending the GP/CLUP. This alternative also reflects comments made at the workshops and public hearings urging no change to these sections of the GP/CLUP at this time.
- **Alternative 2a – City-Initiated Revisions:** This alternative is the “Proposed Project” as defined in CEQA, and presents the text of policy revisions as initiated by the Goleta City Council. The precise wording of these revisions incorporates that originally requested by advocates of the revision, as modified (where applicable) by the City Council during their public hearing deliberations.
- **Alternative 2b – Options Associated With City-Initiated Revisions:** This alternative presents the text of optional revisions to Alternative 2a for selected ESHA, wetlands, and related policies. This optional text concerns the development of plans and guidelines that would provide further guidance on policy implementation or could replace the existing policy. The precise wording of these options is based on suggestions to City staff regarding other ways to resolve issues associated with the ESHA, wetland, and related policies in the existing GP/CLUP.

- **Alternative 3 – City Staff Recommended Revisions:** This alternative consists of revisions that City staff recommends be made in order to clarify existing GP/CLUP policies and provide flexibility in policy implementation. The specific revisions are based on the materials circulated at the workshops and public hearings in fall 2007 and January 2008. In some instances, the wording combines similar versions of a proposed change or was developed in response to comments made at the workshops and hearings.

Policy amendments are organized by GP/CLUP element, and generally address the following topics:

Land Use Element

- Locations of large regional development
- Revision to growth management directives

Open Space Element

- Beach access
- ESHA definition and designation

Conservation Element

- ESHA definition and designation
- ESHA protection and buffers
- ESHA development standards
- Width of streamside protection areas
- Allowable uses and activities in streamside protection areas
- Maintenance of creeks
- Definition of wetlands
- Protection of wetlands, both in and out of the coastal zone
- Best Management Practices for stormwater management
- Protection of trees

Transportation Element

- Options if traffic mitigations are not fully funded

5. POTENTIAL ENVIRONMENTAL EFFECTS

The 2006 FEIR cited numerous General Plan policies that helped to mitigate significant impacts associated with implementation of the GP/CLUP. Some of those policies are proposed to be changed as part of the Track 3 GPAs. A preliminary list of potential environmental impacts associated with the proposed Track 3 revisions to the GP/CLUP, if implemented with any of the alternative text shown in Table NOP-1, is presented below using the topic areas from CEQA Guidelines Appendix G. The criteria for determining the significance of environmental impacts in the SEIR are the same as those contained within the certified final EIR.

**POTENTIAL ENVIRONMENTAL IMPACTS ASSOCIATED WITH
PROPOSED TRACK 3 REVISIONS TO THE GP/CLUP**

2006 FEIR Impact #	Track 3 Policies Listed as Mitigation in 2006 FEIR and Proposed for Revision	Subject
Air Quality		
3.3-2	LU 11; TE 13	Consistency of GP/CLUP growth projections with the Clean Air Plan
Biological Resources		
3.4-1	CE 1-10; OS 1-7; LU 1, 6, 9	Temporary impacts to special status habitats and species
3.4-2	CE 1-7, 9-10; OS 1-7; LU 1, 6, 9	Permanent loss of special status habitats
3.4-3	CE 1-5, 7, 9-10; OS 5; LU 1, 6, 9	Long-term degradation of special status habitats
3.4-4	CE 1-7, 9-10; OS 1-7; LU 1, 6, 9	Fragmentation of special status habitats
3.4-5	CE 1-10; OS 1-7; LU 1, 6, 9	Harm to listed species
3.4-6	CE 1-10; OS 1-7; LU 1, 6, 9	Loss, reduction, isolation of local populations of native species
3.4-7	CE 1-10; OS 1-7; LU 1, 6, 9	Reduction in amount or quality of habitat for special status species
3.4-8	CE 1-7, 9-10; OS 1-7; LU 1, 6, 9	Break or impairment of function of existing wildlife linkage
3.4-9	CE 1-10; OS 1-7; LU 1, 6, 9	Loss or degradation of conserved habitat
3.4-10	CE 1-10; OS 1-7; LU 1, 6, 9	Inconsistency with conservation programs or local policies
3.4-13	CE 10; OS 5; LU 9, 12	Cumulative impacts to biological resources
Hazards		
3.7-7	CE 1, 2, 3, 10.3	Impacts to surface water quality from use or spills of hazardous materials
Population & Housing		
3.8-2	LU 11	Increased population associated with full buildout
3.8-4	LU 3, 11; TE 13	Additional jobs associated with full buildout
Water Resources		
3.9-1	CE 2, 3, 10	Degradation of water quality from construction-related contaminants
3.9-3	CE 2, 10	Changes in groundwater supply resulting from new development
3.9-4	CE 2, 10	Alterations in existing drainage patterns and downstream flooding and erosion
3.9-7	CE 2, 10	Increases in point source and nonpoint source pollution from new development
3.9-9	CE 2, 10	Cumulative water quality impacts from discharge to 303(d) listed surface waters

2006 FEIR Impact #	Track 3 Policies Listed as Mitigation in 2006 FEIR and Proposed for Revision	Subject
Land Use and Recreation		
3.10-1	CE 1, 2, 3, 5, 8, 9, 10	Conflict with land use policies and/or regulations due to buildout
3.10-2	CE 1, 2, 3, 5, 8, 10	Adverse effects from construction of planned recreational facilities
3.10-3	LU 3	Conflict with other land use policies and/or regulations due to buildout
3.10-4	OS 7; CE 1, 2, 3, 5	Conflict with habitat conservation plan or natural community conservation plan
3.10-5	LU 3	Loss of privacy and/or neighborhood incompatibility
3.10-6	OS 7; CE 1, 2, 3, 5	Adverse effects from buildout of planned recreational facilities
3.10-7	LU 3; OS 7	Deterioration of existing recreational facilities

For the following environmental resources, none of the Track 3 policies listed as mitigation in the 2006 FEIR have been proposed for revision:

- aesthetics and visual resources;
- agriculture and farmland;
- cultural resources;
- geology, soils, and mineral resources;
- noise; and
- public services and utilities.

The amendments listed in Table NOP-1 would not result in greater or different impacts to these resources than those analyzed in the FEIR, and do not have the potential to result in new potentially significant impacts to those resources. Accordingly, the proposed GP/CLUP amendments would not affect the analysis presented in Section 3.1 of the FEIR for these resources.

The City of Goleta looks forward to receiving your comments.

Sincerely,



Steve Chase, Director
 Planning & Environmental Services

**TABLE 2-1
TRACK 3 POLICIES: CITY-INITIATED REVISIONS AND STAFF RECOMMENDATIONS**

Policy ID #	Alt 1 - No Changes (No Project)	Alt 2a - City-Initiated Revisions	Alt 2b – Options Associated with City-Initiated Revisions	Alt 3 – City Staff Recommended Revisions
Regional Commercial Land Use Category				
LU 3.2	LU 3.2 Regional Commercial (C-R). [GP] This category is intended to provide for a wide range of retail commercial uses, including, but not limited to, larger scale commercial uses that serve the community, the region, and the traveling public. These uses are typically land-extensive. The Regional Commercial use designation provides for commercial uses that require large sites or attract large volumes of activity, such as “large box” retail uses, restaurants, high-volume retail businesses, and professional, personal, and financial services. In order to limit regional traffic impacts, lands designated in this category shall be limited to existing locations of “large-box” uses as of 2005, shown on the Land Use Plan map in Figure 2-1, and no additional areas shall be designated.	LU 3.2 Regional Commercial (C-R). [GP] This category is intended to provide for a wide range of retail commercial uses, including, but not limited to, larger scale commercial uses that serve the community, the region, and the traveling public. These uses are typically land-extensive. The Regional Commercial use designation provides for commercial uses that require large sites or attract large volumes of activity, such as “large box” retail uses, restaurants, high-volume retail businesses, and professional, personal, and financial services. <u>New areas for regional commercial development may be determined as appropriate through project review. In order to limit regional traffic impacts, lands designated in this category shall be limited to existing locations of “large-box” uses as of 2005, shown on the Land Use Plan map in Figure 2-1, and no additional areas shall be designated.</u>	Same Change as Alt 2a.	Same Change as Alt 2a.

Policy ID #	Alt 1 - No Changes (No Project)	Alt 2a - City-Initiated Revisions	Alt 2b – Options Associated with City-Initiated Revisions	Alt 3 – City Staff Recommended Revisions
Nonresidential Growth Management				
LU 11.2 and LU 11.3 plus entirety of LU 11	Policy LU 11: Nonresidential Growth Management [GP] Objective: To manage the amount and timing of nonresidential development within the city based upon actual residential construction so as to maintain an appropriate balance between jobs and housing in the city. LU 11.1 No Limitation on Annual Residential Permits. [GP] The City shall not place limitations on the number of building permits for new residential units that can be approved each year. LU 11.2 Nonresidential Growth Limit Based on New Housing Production. [GP] The quantity of new nonresidential floor area that may be approved for construction each year shall be limited based upon the number of residential units authorized for construction in the preceding year. The nonresidential growth-management system may allow carryover of all or part of any unused portion of the total allocation to the following year. LU 11.3 Annual Cap on Total Allocation. [GP] The growth-management system may establish an annual cap on the total allocation of floor area that is available to be assigned to nonresidential projects each year. LU 11.4 Exemption of Certain Old Town Projects. [GP] The growth-management system may exempt projects located on selected sites within the redevelopment project area defined by the Goleta Old Town Revitalization Plan. LU 11.5 Priority Projects. [GP] The growth-management system may establish a list of priority projects, or categories of projects, that shall have priority for assignment of allocations of floor area each year. LU 11.6 Competitive Assignment of Annual Allocation. [GP] The growth-management system shall establish a method of evaluating projects that are not exempt or in a priority category and a method for determining which projects are to be assigned allocations based upon their relative scores from the evaluation. The growth-management system may include a procedure of assigning annual allocations for larger projects that are phased over a period of several years.	Policy LU 11: Nonresidential Growth Management [GP] Objective: To manage the amount and timing of nonresidential development within the city based upon actual residential construction so as to maintain an appropriate balance between jobs and housing in the city. LU 11.1 No Limitation on Annual Residential Permits. [GP] The City shall not place limitations on the number of building permits for new residential units that can be approved each year. LU 11.2 Nonresidential Growth Limit Based on New Housing Production. [GP] The quantity of new nonresidential floor area that may be approved for construction each year shall be limited based upon the number of residential units authorized for construction in the preceding year. The nonresidential growth-management system may allow carryover of all or part of any unused portion of the total allocation to the following year. LU 11.3 Annual Cap on Total Allocation. [GP] The growth-management system may establish an annual cap on the total allocation of floor area that is available to be assigned to nonresidential projects each year. LU 11.4 Exemption of Certain Old Town Projects. [GP] The growth-management system may exempt projects located on selected sites within the redevelopment project area defined by the Goleta Old Town Revitalization Plan. LU 11.5 Priority Projects. [GP] The growth-management system may establish a list of priority projects, or categories of projects, that shall have priority for assignment of allocations of floor area each year. LU 11.6 Competitive Assignment of Annual Allocation. [GP] The growth-management system shall establish a method of evaluating projects that are not exempt or in a priority category and a method for determining which projects are to be assigned allocations based upon their relative scores from the evaluation. The growth-management system may include a procedure of assigning annual allocations for larger projects that are phased over a period of several years.	Same Change as Alt 2a.	Same Change as Alt 2a.
LU-IA-2	LU-IA-2 Update of Goleta Growth Management Ordinance. The existing growth management ordinance may need to be amended to conform to the provisions of this plan. The ordinance may be codified as part of the new zoning code. Time period: 2006 to 2007 Responsible parties: Planning and Environmental Services Department, Planning Commission, and City Council.	LU-IA-2 Update of Goleta Growth Management Ordinance. The existing growth management ordinance may need to be amended to conform to the provisions of this plan. The ordinance may be codified as part of the new zoning code. Time period: 2006 to 2007 Responsible parties: Planning and Environmental Services Department, Planning Commission, and City Council.	Same Change as Alt 2a.	Same Change as Alt 2a.

**TABLE 2-1
TRACK 3 POLICIES: CITY-INITIATED REVISIONS AND STAFF RECOMMENDATIONS**

Policy ID #	Alt 1 - No Changes (No Project)	Alt 2a - City-Initiated Revisions	Alt 2b – Options Associated with City-Initiated Revisions	Alt 3 – City Staff Recommended Revisions
Lateral Shoreline Access				
OS 1.10	<p>OS 1.10 Management of Public Lateral Access Areas. [GP/CP] The following criteria and standards shall apply to use and management of lateral shoreline access areas:</p> <ul style="list-style-type: none"> a. Private commercial uses of public beach areas shall be limited to coastal-dependent recreational uses, including but not limited to surfing schools, ocean kayaking, and similar uses. All commercial uses of beach areas and other lateral accessways shall be subject to approval of a permit by the City. The number, size, duration, and other characteristics of commercial uses of beach areas may be limited in order to preserve opportunities for use and enjoyment of the beach area by the general public. For-profit commercial uses at the City-owned Santa Barbara Shores Park and Sperling Preserve (the Ellwood-Devereux Open Space and Habitat Management Plan OSHMP area) are prohibited (see related Policy OS 5). b. Temporary special events shall minimize impacts to public access and recreation along the shoreline. Coastal Development Permits shall be required for any temporary event that proposes to use a sandy beach area and involves a charge for admission or participation. c. Where sensitive habitat resources are present, limited or controlled methods of access and/or mitigation designed to eliminate or reduce impacts to ESHAs shall be implemented. d. The hours during which coastal access areas are available for public use shall be the maximum feasible while maintaining compatibility with nearby neighborhoods and land uses. The hours for public use shall be set forth in each individual coastal development permit. Unless specific hours are described within a permit, the access shall be deemed to be 24 hours per day and 7 days per week. e. In order to maximize public use and enjoyment, user fees for access to lateral beach and shoreline areas shall be prohibited. Activities and/or uses that would deter or obstruct public lateral access shall be prohibited. f. Overnight camping and use of motorized vehicles, except for public safety vehicles and vehicles associated with construction of access improvements and maintenance and restoration or enhancement activities, shall be prohibited in lateral shoreline access areas. 	<p>OS 1.10 Management of Public Lateral Access Areas. [GP/CP] The following criteria and standards shall apply to use and management of lateral shoreline access areas:</p> <ul style="list-style-type: none"> a. Private commercial uses of public beach areas shall be limited to coastal dependent recreational uses, including but not limited to surfing schools, ocean kayaking, and similar uses. All commercial uses of beach areas and other lateral accessways shall be subject to approval of a permit by the City. The number, size, duration, and other characteristics of commercial uses of beach areas may be limited in order to preserve opportunities for use and enjoyment of the beach area by the general public. For-profit commercial uses at the City-owned Santa Barbara Shores Park and Sperling Preserve (the Ellwood-Devereux Open Space and Habitat Management Plan OSHMP area) are prohibited (see related Policy OS 5). b. Temporary special events shall minimize impacts to public access and recreation along the shoreline. Coastal Development Permits shall be required for any temporary event that proposes to use a sandy beach area and involves a charge for admission or participation. c. Where sensitive habitat resources are present, limited or controlled methods of access and/or mitigation designed to eliminate or reduce impacts to ESHAs shall be implemented. d. The hours during which coastal access areas are available for public use shall be the maximum feasible while maintaining compatibility with nearby neighborhoods and land uses. The hours for public use shall be set forth in each individual coastal development permit. Unless specific hours are described within a permit, the access shall be deemed to be 24 hours per day and 7 days per week. e. In order to maximize public use and enjoyment, user fees for access to lateral beach and shoreline areas shall be prohibited. Activities and/or uses that would deter or obstruct public lateral access shall be prohibited. f. Overnight camping and use of motorized vehicles, except for public safety vehicles-and vehicles associated with construction of access improvements and maintenance and restoration or enhancement activities, shall be prohibited in lateral shoreline access areas. 	Same Change as Alt 2a.	Same Change as Alt 2a.

Policy ID #	Alt 1 - No Changes (No Project)	Alt 2a - City-Initiated Revisions	Alt 2b – Options Associated with City-Initiated Revisions	Alt 3 – City Staff Recommended Revisions
ESHAs – Definition and Designation				
OS 7.3	<p>OS 7.3 Open Space for Preservation of Natural Resources. [GP] Goleta’s natural resource lands include sandy beaches and dunes; rocky intertidal areas; coastal lagoons; coastal bluffs; eucalyptus groves and monarch butterfly aggregation sites; native grasslands; streams and associated riparian areas; wetlands, lakes, and ponds; and habitats for various protected plant and animal species. Figure 3-5 designates all ESHAs as protected open space. The following standards shall apply to these areas:</p> <ul style="list-style-type: none"> a. The designated natural resource areas shall be managed by the City in accord with the policies described in the Conservation Element. b. The City may require dedication of open space easements as a condition of approval of development on sites that have open space resources as shown in Figure 3-5. c. The City encourages the donation of easements or fee-simple interests in open space lands to the City or other appropriate nonprofit entity, such as a land trust. 	<p>OS 7.3 Open Space for Preservation of Natural Resources. [GP] Goleta’s natural resource lands include sandy beaches and dunes, rocky intertidal areas, coastal lagoons, coastal bluffs, eucalyptus groves and monarch butterfly aggregation sites, native grasslands, streams and associated riparian areas, wetlands, lakes and ponds, and habitats for various protected plant and animal species. Figure 3-5 designates <u>areas that may be at</u> environmentally sensitive habitat areas (ESHA) <u>and could be as</u> protected as open space <u>depending upon the findings of site-specific biological studies.</u> The following standards shall apply to these areas.</p> <ul style="list-style-type: none"> a. The designated natural resource areas shall be managed by the City in accord with the policies described in the Conservation Element. b. The City may require dedication of open space easements as a condition of approval of development on sites that have open space resources as shown in Figure 3-5. c. The City encourages the donation of easements or fee-simple interests in open space lands to the City or other appropriate non-profit entity, such as a land trust. 	Same Change as Alt 2a.	Same as Alt 1 - No Action.

**TABLE 2-1
TRACK 3 POLICIES: CITY-INITIATED REVISIONS AND STAFF RECOMMENDATIONS**

Policy ID #	Alt 1 - No Changes (No Project)	Alt 2a - City-Initiated Revisions	Alt 2b – Options Associated with City-Initiated Revisions	Alt 3 – City Staff Recommended Revisions
ESHAs – Definition and Designation				
CE Table 4-2	Conservation Element Table 4-2 Summary of Environmentally Sensitive Habitats	Refer to Attachment 1 for proposed amendment to Table 4-2.	Create a new table that provides a comprehensive, definitive list of ESHA types and locations with designated ESHAs in the City and cite the table in CE policies that currently include lists in ESHA types.	Revise Table 4-2 consistent with CE 1.2 final recommended amendment.
CE Figure 4-1	Conservation Element Figure 4-1 Special-Status Species and Environmentally Sensitive Habitat Areas.	Change Figure 4-1 to reflect the correct raptor/butterfly ESHA along Comstock Homes northern and western boundary consistent with the Comstock Homes FEIR.	Same Change as Alt 2a.	Change Figure 4-1 to reflect the correct raptor/butterfly ESHA along Comstock Homes northern and western boundary consistent with the Comstock Homes FEIR; <u>identify Old San Jose Creek with a creek pattern; and correct ESHA designation from “Riparian/Marsh/Vernal Pool” to “Native Upland Woodlands/Savannah” for parcels 069-090-050, 069-380-001, 069-380-003, 069-380-004, 069-391-001, 069-391-002, 069-391-006, 069-391-007, 069-391-008, 069-401-001, 069-401-002, 069-401-003, 069-401-013, 069-401-016, 069-401-017.</u>
CE Page 4-2	The following habitats occur within Goleta and are considered to be ESHAs: marine resources, beach and shoreline resources, coastal dunes, coastal bluff scrub, foredune, oak woodlands/savannah, dense stands of native grasslands, all wetlands such as vernal pools, riparian habitats, butterfly roosts, raptor roosts and nests, and habitats that support special-status plant and wildlife species, including western snowy plover (<i>Charadrius alexandrinus nivosus</i>) habitat.	The following habitats occur within Goleta and are considered to be <u>may be designated as ESHAs based upon site specific environmental studies</u> : marine resources, beach and shoreline resources, coastal dunes, coastal bluff scrub, foredune, oak woodlands/savannah, dense stands of native grasslands, all wetlands such as vernal pools, riparian habitats, butterfly roosts, raptor roosts and nests, and habitats that support special-status plant and wildlife species, including western snowy plover (<i>Charadrius alexandrinus nivosus</i>) habitat.	Same Change as Alt 2a.	Same as Alt 1 - No Action.
CE 1.1	<p>CE 1.1 Definition of Environmentally Sensitive Habitat Areas. [GP/CP] ESHAs shall include, but are not limited to, any areas that through professional biological evaluation are determined to meet the following criteria:</p> <p>a. Any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and that could be easily disturbed or degraded by human activities and developments.</p> <p>b. Any area that includes habitat for species and plant communities recognized as threatened or endangered by the state or federal governments; plant communities recognized by the State of California (in the Terrestrial Natural Communities Inventory) as restricted in distribution and very threatened; and those habitat types of limited distribution recognized to be of particular habitat value, including wetlands, riparian vegetation, eucalyptus groves associated with monarch butterfly roosts, oak woodlands, and savannas.</p> <p>c. Any area that has been previously designated as an ESHA by a competent authority.</p>	<p>CE 1.1 Definition of Environmentally Sensitive Habitat Areas. [GP/CP] ESHAs shall include, but are not limited to, any areas that through professional biological evaluation are determined to meet the following criteria:</p> <p>a. Any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and that could be easily disturbed or degraded by human activities and developments.</p> <p>b. Any area that includes habitat for species and plant communities recognized as threatened or endangered by the state or federal governments; plant communities recognized by the State of California (in the Terrestrial Natural Communities Inventory) as restricted in distribution and very threatened; and those habitat types of limited distribution recognized to be of particular habitat value, including wetlands, riparian vegetation, eucalyptus groves associated with monarch butterfly roosts, oak woodlands, and savannas.</p> <p>c. Any area that has been previously designated as an ESHA by <u>the California Coastal Commission, the California Department of Fish and Game, City of Goleta, County of Santa Barbara, or other agency with jurisdiction over the designated area a competent authority.</u></p>	Same Change as Alt 2a.	<p>CE 1.1 Definition of Environmentally Sensitive Habitat Areas. [GP/CP] ESHAs shall include, but are not limited to, any areas that through professional biological evaluation are determined to meet the following criteria:</p> <p>a. Any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and that could be easily disturbed or degraded by human activities and developments.</p> <p>b. Any area that includes habitat for species and plant communities recognized as threatened or endangered by the state or federal governments; plant communities recognized by the State of California (in the Terrestrial Natural Communities Inventory) as restricted in distribution and very threatened; and those habitat types of limited distribution recognized to be of particular habitat value, including wetlands, riparian vegetation, eucalyptus groves associated with monarch butterfly roosts, oak woodlands, and savannas.</p> <p>c. Any area that has been previously designated as an ESHA by <u>the California Coastal Commission, the California Department of Fish and Game, City of Goleta, or other agency with jurisdiction over the designated area a competent authority.</u></p>

**TABLE 2-1
TRACK 3 POLICIES: CITY-INITIATED REVISIONS AND STAFF RECOMMENDATIONS**

Policy ID #	Alt 1 - No Changes (No Project)	Alt 2a - City-Initiated Revisions	Alt 2b – Options Associated with City-Initiated Revisions	Alt 3 – City Staff Recommended Revisions
ESHAs – Definition and Designation				
CE 1.2	<p>CE 1.2 Designation of Environmentally Sensitive Habitat Areas. [GP/CP] ESHAs in Goleta are generally shown in Figure 4-1, and Table 4-2 provides a summary of the ESHAs and examples of each. The provisions of this policy shall apply to all designated ESHAs. ESHAs include the following resources:</p> <ul style="list-style-type: none"> a. Creek and riparian areas. b. Wetlands, such as vernal pools. c. Coastal dunes, lagoons or estuaries, and coastal bluffs. d. Beach and shoreline habitats. e. Marine habitats. f. Coastal sage scrub and chaparral. g. Native woodlands and savannahs, including oak woodlands. h. Native grassland. i. Monarch butterfly aggregation sites, including autumnal and winter roost sites, and related habitat areas. j. Beach and dune areas that are nesting and foraging locations for the western snowy plover. k. Nesting and roosting sites and related habitat areas for various species of raptors. l. Other habitat areas for species of wildlife or plants designated as rare, threatened, or endangered under state or federal law. m. Any other habitat areas that are rare or especially valuable from a local, regional, or statewide perspective. 	<p>CE 1.2 Designation of Environmentally Sensitive Habitat Areas. [GP/CP] <u>Naturally occurring habitats which may be considered to be ESHAs in Goleta are generally shown in Figure 4-1, and Table 4-2 provides a summary of habitats which may be considered the ESHAs designated after a formal determination has been made by the City based upon site specific environmental studies, and examples of each.</u> The provisions of this policy shall apply to all designated ESHAs. ESHAs <u>may</u> include the following resources:</p> <ul style="list-style-type: none"> a. Creek and riparian areas. b. Wetlands, such as vernal pools. c. Coastal dunes, lagoons or estuaries, and coastal bluffs. d. Beach and shoreline habitats. e. Marine habitats. f. Coastal sage scrub and chaparral. g. Native woodlands and savannahs, including oak woodlands. h. Native grassland. i. Monarch butterfly aggregation sites, including autumnal and winter roost sites, and related habitat areas. j. Beach and dune areas that are nesting and foraging locations for the western snowy plover. k. Nesting and roosting sites and related habitat areas for various species of raptors. l. Other habitat areas for species of wildlife or plants designated as rare, threatened, or endangered under state or federal law. m. Any other habitat areas that are rare or especially valuable from a local, regional, or statewide perspective. 	Same Change as Alt 2a.	<p>CE 1.2 Designation of Environmentally Sensitive Habitat Areas. [GP/CP] ESHAs in Goleta are generally shown in Figure 4-1, and Table 4-2 provides <u>examples a summary</u> of the ESHAs and <u>some locations examples</u> of each. The provisions of this policy shall apply to all designated ESHAs. ESHAs <u>generally</u> include <u>but are not limited to</u> the following resources:</p> <ul style="list-style-type: none"> a. Creek and riparian areas. b. Wetlands, such as vernal pools. c. Coastal dunes, lagoons or estuaries, and coastal bluffs/<u>coastal bluff scrub.</u> d. Beach and shoreline habitats. e. Marine habitats. f. Coastal sage scrub and chaparral. g. Native woodlands and savannahs, including oak woodlands. h. Native grassland. i. Monarch butterfly aggregation sites, including autumnal and winter roost sites, and related habitat areas. j. Beach and dune areas that are nesting and foraging locations for the western snowy plover. k. Nesting and roosting sites and related habitat areas for various species of raptors. l. Other habitat areas for species of wildlife or plants designated as rare, threatened, or endangered under state or federal law. m. Any other habitat areas that are rare or especially valuable from a local, regional, or statewide perspective.
CE 1.3	<p>CE 1.3 Site-Specific Studies and Unmapped ESHAs. [GP/CP] Any area not designated on the ESHA map in Figure 4-1 that meets the ESHA criteria for the resources specified in CE 1.1 shall be granted the same protections as if the area was shown on the map. Proposals for development on sites where ESHAs are shown on the map or where there is probable cause to believe that ESHAs may exist shall be required to provide the City with a site-specific biological study that includes the following information:</p> <ul style="list-style-type: none"> a. A base map that delineates topographic lines, parcel boundaries, and adjacent roads. b. A vegetation map that identifies species that may be indicators of ESHAs. c. A soils map that delineates hydric and nonhydric soils, if applicable. d. A census of animal species that indicates the potential existence of ESHAs. e. A detailed map that shows the conclusions regarding the boundary, precise location and extent, or current status of the ESHA based on substantial evidence provided in the biological studies. 	<p>CE 1.3 Site-Specific Studies and Unmapped ESHAs. [GP/CP] Any area not designated on the ESHA map in Figure 4-1 that meets the ESHA criteria for the resources specified in CE 1.1 <u>may shall</u> be granted the same protections as if the area was shown on the map. Proposals for development on sites where ESHAs are shown on the map or where <u>there is probable cause to believe that ESHAs areas meeting the criteria in CE 1.1</u> may exist shall be required to provide the City with a site-specific biological study that includes the following information:</p> <ul style="list-style-type: none"> a. A base map that delineates topographic lines, parcel boundaries, and adjacent roads. b. A vegetation map that identifies all vegetation communities and sensitive plant species that may be indicators of ESHAs. c. A soils map that delineates hydric and nonhydric soils, if applicable. d. A census of animal species that utilize the area indicates the potential existence of ESHAs. e. A detailed map that shows the conclusions regarding the proposed boundary, precise location and extent of the area proposed as ESHA, or current status of the ESHA based on substantial evidence provided in the biological studies. 	<p>CE 1.3 Biological Assessment Guidelines, Site-Specific Studies and Unmapped ESHAs. [GP/CP] <u>The City shall prepare a Biological Assessment Guideline Manual that would specify the requirements for site-specific biological studies, assessments for ESHA determinations, and other biological resources. Any area not designated on the ESHA map in Figure 4-1 that meets the ESHA criteria for the resources specified in CE 1.1 shall be granted the same protections as if the area was shown on the map. Proposals for development on sites where ESHAs are shown on the map or where there is probable cause to believe that ESHAs may exist shall be required to provide the City with a site-specific biological study that includes the following information:</u></p> <ul style="list-style-type: none"> a. A base map that delineates topographic lines, parcel boundaries, and adjacent roads. b. A vegetation map that identifies species that may be indicators of ESHAs. c. A soils map that delineates hydric and nonhydric soils, if applicable. d. A census of animal species that indicates the potential existence of ESHAs. e. A detailed map that shows the conclusions regarding the boundary, precise location and extent, or current status of the ESHA based on substantial evidence provided in the biological studies. 	Same as Alt 1 - No Action.
CE 1.5	<p>CE 1.5 Corrections to Map of ESHAs. [GP/CP] If a site-specific biological study contains substantial evidence that an area previously shown as an ESHA on Figure 4-1 does not contain habitat that meets the definition of an ESHA for reasons other than that set forth in CE 1.4, the City biologist and the Planning Commission shall review all available information and determine if the area in question should no longer be considered an ESHA and therefore not be subject to the ESHA protection policies of this plan. If the final decision-making body determines that the area is not an ESHA, a map modification shall be included in the next Coastal Land Use Plan amendment; however, Local Coastal Program policies and standards for protection of ESHAs shall not apply, and approval of development consistent with all other requirements of this plan may be considered prior to the map revision.</p>	<p>CE 1.5 Corrections to Map of ESHAs. [GP/CP] If a site-specific biological study contains substantial evidence that an area previously shown as an ESHA on Figure 4-1 does not contain habitat that meets the definition of an ESHA for reasons other than that set forth in CE 1.4, the City biologist and the Planning Commission shall review all available information and determine if the area in question should no longer be considered an ESHA and therefore not be subject to the ESHA protection policies of this plan. If the final decision-making body determines that the area is not an ESHA, a map modification shall be included in the next <u>General Plan/</u> Coastal Land Use Plan amendment; however, Local Coastal Program policies and standards for protection of ESHAs shall not apply, and approval of development consistent with all other requirements of this plan may be considered prior to the map revision.</p>	Same Change as Alt 2a.	Same Change as Alt 2a.

**TABLE 2-1
TRACK 3 POLICIES: CITY-INITIATED REVISIONS AND STAFF RECOMMENDATIONS**

Policy ID #	Alt 1 - No Changes (No Project)	Alt 2a - City-Initiated Revisions	Alt 2b – Options Associated with City-Initiated Revisions	Alt 3 – City Staff Recommended Revisions
ESHAs – Definition and Designation				
CE 5.1	<p>CE 5.1 Designation of ESHAs. [GP/CP] The following habitats, which are not specifically included in other policies, are hereby designated ESHAs:</p> <ul style="list-style-type: none"> a. Native grasslands. b. Coastal sage scrub and chaparral. 	<p>CE 5.1 Designation of ESHAs. [GP/CP] The following habitats, which are not specifically included in other policies, are hereby designated ESHAs:</p> <ul style="list-style-type: none"> a. Native grasslands. b. Coastal sage scrub and chaparral. 	Same Change as Alt 2a.	<p>CE 5.1 Designation of <u>Other Terrestrial</u> ESHAs. [GP/CP] The following habitats, which are not specifically included in other policies, are hereby designated ESHAs:</p> <ul style="list-style-type: none"> a. Native grasslands. b. <u>Coastal bluff scrub</u>, coastal sage-scrub and chaparral.
CE 8.1	<p>CE 8.1 ESHA Designation. [GP/CP] Requisite habitats for individual occurrences of special-status plants and animals, including candidate species for listing under the state and federal endangered species acts, California species of special concern, California Native Plant Society List 1B plants, and other species protected under provisions of the California Fish and Game Code shall be preserved and protected, and their occurrences, including habitat requirements, shall be designated as ESHAs.</p> <p>These habitats include, but are not limited to, the following:</p> <ul style="list-style-type: none"> a. Special-status plant species such as Santa Barbara honeysuckle (<i>Lonicera subspicata</i> var. <i>subspicata</i>), southern tarplant (<i>Centromadia parryi</i> ssp. <i>australis</i>) and black-flowered figwort (<i>Scrophularia atrata</i>). b. Habitat capable of supporting special-status invertebrate species, such as the globose dune beetle (<i>Coelus globosus</i>), and roosting habitat for the monarch butterfly. c. Aquatic habitat capable of supporting special-status fish species such as the steelhead trout (<i>Oncorhynchus mykiss</i>) and tidewater goby (<i>Eucyclogobius newberryi</i>). d. Habitat capable of supporting special-status amphibians and reptiles such as the red-legged frog (<i>Rana aurora draytonii</i>) and western pond turtle (<i>Clemmys marmorata pallida</i>). e. Nesting and roosting areas for various species of raptors such as Cooper's hawks (<i>Accipiter cooperii</i>), red-tailed hawks (<i>Buteo jamaicensis</i>), white-tailed kites (<i>Elanus leucurus</i>), and turkey vultures (<i>Cathartes aura</i>). f. Nesting habitat for other special-status bird species such as western snowy plover, southwestern willow flycatcher (<i>Empidonax traillii extimus</i>), loggerhead shrike (<i>Lanius ludovicianus</i>), yellow warbler (<i>Dendroica petechia</i>), or tri-colored blackbird (<i>Agelaius tricolor</i>). g. Nesting and foraging habitat for special-status mammals such as pallid bat (<i>Antrozous pallidus</i>), western red bat (<i>Lasiurus blossevillii</i>), Yuma myotis (<i>Myotis yumanensis</i>), and American badger (<i>Taxidea taxus</i>). 	<p>CE 8.1 ESHA Designation. [GP/CP] Requisite habitats for individual occurrences of special-status plants and animals, including candidate species for listing under the state and federal endangered species acts, California species of special concern, California Native Plant Society List 1B plants, and other species protected under provisions of the California Fish and Game Code shall be preserved and protected, and their occurrences, including habitat requirements, shall be designated as ESHAs.</p> <p>These habitats include, but are not limited to, the <u>species listed in Table 4-1 Potentially Occurring Special Status Species and habitats listed in Table 4-1 Summary of Environmentally Sensitive Habitats</u> following:</p> <ul style="list-style-type: none"> a. Special-status plant species such as Santa Barbara honeysuckle (<i>Lonicera subspicata</i> var. <i>subspicata</i>), southern tarplant (<i>Centromadia parryi</i> ssp. <i>australis</i>) and black-flowered figwort (<i>Scrophularia atrata</i>). b. Habitat capable of supporting special-status invertebrate species, such as the globose dune beetle (<i>Coelus globosus</i>), and roosting habitat for the monarch butterfly. c. Aquatic habitat capable of supporting special-status fish species such as the steelhead trout (<i>Oncorhynchus mykiss</i>) and tidewater goby (<i>Eucyclogobius newberryi</i>). d. Habitat capable of supporting special-status amphibians and reptiles such as the red-legged frog (<i>Rana aurora draytonii</i>) and western pond turtle (<i>Clemmys marmorata pallida</i>). e. Nesting and roosting areas for various species of raptors such as Cooper's hawks (<i>Accipiter cooperii</i>), red-tailed hawks (<i>Buteo jamaicensis</i>), white-tailed kites (<i>Elanus leucurus</i>), and turkey vultures (<i>Cathartes aura</i>). f. Nesting habitat for other special-status bird species such as western snowy plover, southwestern willow flycatcher (<i>Empidonax traillii extimus</i>), loggerhead shrike (<i>Lanius ludovicianus</i>), yellow warbler (<i>Dendroica petechia</i>), or tri-colored blackbird (<i>Agelaius tricolor</i>). g. Nesting and foraging habitat for special-status mammals such as pallid bat (<i>Antrozous pallidus</i>), western red bat (<i>Lasiurus blossevillii</i>), Yuma myotis (<i>Myotis yumanensis</i>), and American badger (<i>Taxidea taxus</i>). 	Same Change as Alt 2a.	<p>CE 8.1 ESHA Designation. [GP/CP] Requisite habitats for individual occurrences of special-status plants and animals, including candidate species for listing under the state and federal endangered species acts, California species of special concern, California Native Plant Society List 1B plants, and other species protected under provisions of the California Fish and Game Code shall be preserved and protected, and their occurrences, including habitat requirements, shall be designated as ESHAs.</p> <p>These habitats include, but are not limited to, the following:</p> <ul style="list-style-type: none"> a. <u>Habitats that support</u> special-status plant species, such as <u>oak woodland with populations of Santa Barbara honeysuckle (<i>Lonicera subspicata</i> var. <i>subspicata</i>) or wetlands with populations of,</u> southern tarplant (<i>Centromadia parryi</i> ssp. <i>australis</i>), <u>and black-flowered figwort (<i>Scrophularia atrata</i>).</u> b. <u>Habitats that capable of supporting</u> special-status invertebrate species, such as <u>foredunes occupied by</u> the globose dune beetle (<i>Coelus globosus</i>), and <u>woodlands used as</u> roosting sites <u>habitat for</u> <u>by</u> the <u>migratory</u> monarch butterfly. c. <u>Aquatic habitats that capable of supporting</u> special-status fish species, such as <u>creeks where</u> the steelhead trout (<i>Oncorhynchus mykiss</i>) <u>occur</u> and <u>estuaries where</u> tidewater goby (<i>Eucyclogobius newberryi</i>) <u>occur</u>. d. <u>Aquatic and terrestrial Hhabitats that capable of supporting</u> special-status amphibians and reptiles, such as <u>riparian areas where the red-legged frogs (<i>Rana aurora draytonii</i>) occur</u> and <u>streams and ponds used by the</u> western pond turtle (<i>Clemmys marmorata pallida</i>). e. <u>Nesting and roosting areas for special-status bird species,</u> various species of raptors such as Cooper's hawks (<i>Accipiter cooperii</i>), red-tailed hawks (<i>Buteo jamaicensis</i>), white-tailed kites (<i>Elanus leucurus</i>), <u>and</u> turkey vultures (<i>Cathartes aura</i>). f. Nesting habitat for other special-status bird species such as western snowy plover, southwestern willow flycatcher (<i>Empidonax traillii extimus</i>), loggerhead shrike (<i>Lanius ludovicianus</i>), yellow warbler (<i>Dendroica petechia</i>), or tri-colored blackbird (<i>Agelaius tricolor</i>); and communal roost sites for turkey vultures. f. g. Nesting and foraging Hhabitat that supports for special-status mammals, <u>including communal nest and roost sites for the</u> such as pallid bat (<i>Antrozous pallidus</i>), western red bat (<i>Lasiurus blossevillii</i>), <u>and</u> Yuma myotis (<i>Myotis yumanensis</i>); <u>and den sites for the</u> American badger (<i>Taxidea taxus</i>).

**TABLE 2-1
TRACK 3 POLICIES: CITY-INITIATED REVISIONS AND STAFF RECOMMENDATIONS**

Policy ID #	Alt 1 - No Changes (No Project)	Alt 2a - City-Initiated Revisions	Alt 2b – Options Associated with City-Initiated Revisions	Alt 3 – City Staff Recommended Revisions
ESHAs – Protection and Buffers				
CE 1.6	<p>CE 1.6 Protection of ESHAs. [GP/CP] ESHAs shall be protected against significant disruption of habitat values, and only uses or development dependent on and compatible with maintaining such resources shall be allowed within ESHAs or their buffers. The following shall apply:</p> <p>a. No development, except as otherwise allowed by this element, shall be allowed within ESHAs.</p> <p>b. A setback or buffer separating all permitted development from an adjacent ESHA shall be required and shall have a minimum width as set forth in subsequent policies of this element. The purpose of such setbacks shall be to prevent any degradation of the ecological functions provided by the habitat area.</p> <p>c. Public accessways and trails are considered resource-dependent uses and may be located within or adjacent to ESHAs. These uses shall be sited to avoid or minimize impacts on the resource to the maximum extent feasible. Measures—such as signage, placement of boardwalks, and limited fencing or other barriers—shall be implemented as necessary to protect ESHAs.</p> <p>d. The following uses and development may be allowed in ESHAs or ESHA buffers only where there are no feasible, less environmentally damaging alternatives and will be subject to requirements for mitigation measures to avoid or lessen impacts to the maximum extent feasible: 1) public road crossings, 2) utility lines, 3) resource restoration and enhancement projects, 4) nature education, and 5) biological research.</p> <p>e. If the provisions herein would result in any legal parcel created prior to the date of this plan being made unusable in its entirety for any purpose allowed by the land use plan, exceptions to the foregoing may be made to allow a reasonable economic use of the parcel. This use shall not exceed a development footprint of 20 percent of the parcel area and shall be subject to approval of a conditional use permit. Alternatively, the City may establish a program to allow transfer of development rights for such parcels to receiving parcels that have areas suitable for and are designated on the Land Use Plan map for the appropriate type of use and development.</p> <p>f. Any land use, construction, grading, or removal of vegetation that is not listed above is prohibited.</p>	<p>CE 1.6 Protection of ESHAs. [GP/CP] ESHAs shall be protected against significant disruption of habitat values, and only uses or development dependent on and compatible with maintaining such resources shall be allowed within ESHAs or their buffers. The following shall apply:</p> <p>a. No development, except as otherwise allowed by this element, shall be allowed within ESHAs <u>and/or ESHA buffers.</u></p> <p>b. A setback or buffer separating all permitted development from an adjacent ESHA shall be required and shall have a minimum width as set forth in subsequent policies of this element. The purpose of such setbacks shall be to prevent any degradation of the ecological functions provided by the habitat area.</p> <p>c. Public accessways and trails are considered resource-dependent uses and may be located within or adjacent to ESHAs. These uses shall be sited to avoid or minimize impacts on the resource to the maximum extent feasible. Measures—such as signage, placement of boardwalks, and limited fencing or other barriers—shall be implemented as necessary to protect ESHAs.</p> <p>d. The following uses and development may be allowed in ESHAs or ESHA buffers only where there are no feasible, less environmentally damaging alternatives and will be subject to requirements for mitigation measures to avoid or lessen impacts to the maximum extent feasible: 1) public road crossings, 2) utility lines, 3) resource restoration and enhancement projects, 4) nature education, <u>and 5) biological research, and 6) Public Works projects only where there are no feasible, less environmentally damaging alternatives.</u></p> <p>e. If the provisions herein would result in any legal parcel created prior to the date of this plan being made unusable in its entirety for any purpose allowed by the land use plan, exceptions to the foregoing may be made to allow a reasonable economic use of the parcel. <u>This use shall not exceed a development footprint of 20 percent of the parcel area and shall be subject to approval of a conditional use permit.</u> Alternatively, the City may establish a program to allow transfer of development rights for such parcels to receiving parcels that have areas suitable for and are designated on the Land Use Plan map for the appropriate type of use and development.</p> <p>f. Any land use, construction, grading, or removal of vegetation that is not listed above is prohibited.</p>	<p>CE 1.6 Protection of ESHAs. [GP/CP] <u>The City shall prepare a Citywide Habitat Management Plan that includes the guidelines and criteria for compatible uses in ESHA, ESHA buffers, and other such protected biological resources.</u></p> <p>ESHAs shall be protected against significant disruption of habitat values, and only uses or development dependent on and compatible with maintaining such resources shall be allowed within ESHAs or their buffers. The following shall apply:</p> <p>a. No development, except as otherwise allowed by this element, shall be allowed within ESHAs.</p> <p>b. A setback or buffer separating all permitted development from an adjacent ESHA shall be required and shall have a minimum width as set forth in subsequent policies of this element. The purpose of such setbacks shall be to prevent any degradation of the ecological functions provided by the habitat area.</p> <p>c. Public accessways and trails are considered resource-dependent uses and may be located within or adjacent to ESHAs. These uses shall be sited to avoid or minimize impacts on the resource to the maximum extent feasible. Measures—such as signage, placement of boardwalks, and limited fencing or other barriers—shall be implemented as necessary to protect ESHAs.</p> <p>d. The following uses and development may be allowed in ESHAs or ESHA buffers only where there are no feasible, less environmentally damaging alternatives and will be subject to requirements for mitigation measures to avoid or lessen impacts to the maximum extent feasible: 1) public road crossings, 2) utility lines, 3) resource restoration and enhancement projects, 4) nature education, and 5) biological research.</p> <p>e. If the provisions herein would result in any legal parcel created prior to the date of this plan being made unusable in its entirety for any purpose allowed by the land use plan, exceptions to the foregoing may be made to allow a reasonable economic use of the parcel. This use shall not exceed a development footprint of 20 percent of the parcel area and shall be subject to approval of a conditional use permit. Alternatively, the City may establish a program to allow transfer of development rights for such parcels to receiving parcels that have areas suitable for and are designated on the Land Use Plan map for the appropriate type of use and development.</p> <p>f. Any land use, construction, grading, or removal of vegetation that is not listed above is prohibited.</p>	Same Change as Alt 2a.

**TABLE 2-1
TRACK 3 POLICIES: CITY-INITIATED REVISIONS AND STAFF RECOMMENDATIONS**

Policy ID #	Alt 1 - No Changes (No Project)	Alt 2a - City-Initiated Revisions	Alt 2b – Options Associated with City-Initiated Revisions	Alt 3 – City Staff Recommended Revisions
ESHAs – Protection and Buffers				
CE 5.3	<p>CE 5.3 Protection of Coastal Sage Scrub and Chaparral. [GP/CP] In addition to the provisions of Policy CE 1, the following standards shall apply:</p> <p>a. For purposes of this policy, existing coastal sage scrub is defined as a drought-tolerant, Mediterranean habitat characterized by soft-leaved, shallow-rooted subshrubs such as California sagebrush (<i>Artemisia californica</i>), coyote bush (<i>Baccharis pilularis</i>), and California encelia (<i>Encelia californica</i>). It is found at lower elevations in both coastal and interior areas where moist maritime air penetrates inland. Chaparral is composed mainly of fire- and drought-adapted woody, evergreen, shrubs and generally occupies hills and lower mountain slopes.</p> <p>b. To the maximum extent feasible, development shall avoid impacts to coastal sage scrub and chaparral habitats that would destroy, isolate, interrupt, or cause a break in continuous habitat that would (1) disrupt associated bird and animal movement patterns and seed dispersal, and (2) increase erosion and sedimentation impacts to nearby creeks or drainages.</p> <p>c. Impacts to coastal sage scrub and chaparral habitats shall be minimized by providing at least a 25-foot buffer restored with native species around the perimeter of the delineated habitat area.</p> <p>d. Removal of nonnative and invasive exotic species shall be allowed; revegetation shall be with plants or seeds collected within the same watershed whenever feasible.</p>	<p>CE 5.3 Protection of Coastal Sage Scrub and Chaparral. [GP/CP] In addition to the provisions of Policy CE 1, <u>the City shall prepare a Citywide Habitat Management Plan that includes the guidelines and criteria for compatible uses in ESHA, ESHA buffers, and other such protected biological resources. The Citywide Habitat Management Plan shall include the standards applicable to the protection of coastal sage scrub and chaparral ESHAs.</u> the following standards shall apply:</p> <p>a. For purposes of this policy, existing coastal sage scrub is defined as a drought-tolerant, Mediterranean habitat characterized by soft-leaved, shallow-rooted subshrubs such as California sagebrush (<i>Artemisia californica</i>), coyote bush (<i>Baccharis pilularis</i>), and California encelia (<i>Encelia californica</i>). It is found at lower elevations in both coastal and interior areas where moist maritime air penetrates inland. Chaparral is composed mainly of fire- and drought-adapted woody, evergreen, shrubs and generally occupies hills and lower mountain slopes.</p> <p>b. To the maximum extent feasible, development shall avoid impacts to coastal sage scrub and chaparral habitats that would destroy, isolate, interrupt, or cause a break in continuous habitat that would (1) disrupt associated bird and animal movement patterns and seed dispersal, and (2) increase erosion and sedimentation impacts to nearby creeks or drainages.</p> <p>c. Impacts to coastal sage scrub and chaparral habitats shall be minimized by providing at least a 25-foot buffer restored with native species around the perimeter of the delineated habitat area.</p> <p>d. Removal of nonnative and invasive exotic species shall be allowed; revegetation shall be with plants or seeds collected within the same watershed whenever feasible.</p>	Same Change as Alt 2a.	<p>CE 5.3 Protection of Coastal Bluff Scrub, Coastal Sage Scrub, and Chaparral. [GP/CP] In addition to the provisions of Policy CE 1, the following standards shall apply:</p> <p>a. For purposes of this policy, existing coastal bluff scrub is defined <u>as scrub habitat occurring on exposed coastal bluffs. Example species in bluff scrub habitat include Brewer's saltbush (<i>Atriplex lentiformis</i>), lemonade berry (<i>Rhus integrifolia</i>), seashore blight (<i>Suaeda californica</i>), seacliff buckwheat (<i>Eriogonum parvifolium</i>), California sagebrush (<i>Artemisia californica</i>), and coyote bush (<i>Baccharis pilularis</i>).</u> Coastal sage scrub is defined as a drought-tolerant, Mediterranean habitat characterized by soft-leaved, shallow-rooted subshrubs such as California sagebrush (<i>Artemisia californica</i>), coyote bush (<i>Baccharis pilularis</i>), and California encelia (<i>Encelia californica</i>). It is found at lower elevations in both coastal and interior areas where moist maritime air penetrates inland. Chaparral is <u>defined as</u> composed mainly of fire- and drought-adapted woody, evergreen, shrubs and generally <u>occurring on</u> occupies hills and lower mountain slopes. <u>The area must have both the compositional and structural characteristics of coastal bluff scrub, coastal sage scrub, or chaparral habitat as described in Preliminary Descriptions of Terrestrial Natural Communities of California (Holland 1986) or other classification system recognized by the California Department of Fish and Game.</u></p> <p>b. To the maximum extent feasible, development shall avoid impacts to <u>coastal bluff scrub, coastal sage scrub, and or</u> chaparral habitat <u>that is part of a wildlife movement corridor and the impact would preclude animal movement or isolate ESHAs previously connected by the corridor. s that would destroy, isolate, interrupt, or cause a break in continuous habitat that would (1) disrupt associated bird and animal movement patterns and seed dispersal, and (2) increase erosion and sedimentation impacts to nearby creeks or drainages.</u></p> <p>c. Impacts to <u>coastal bluff scrub, coastal sage scrub, and chaparral ESHAs</u> habitats shall be minimized by providing at least a 25-foot buffer restored with native species around the perimeter of the <u>ESHA, delineated habitat area, unless the activity is allowed under other CE subpolicies and mitigation is applied per CE 1.7.</u></p> <p>d. Removal of nonnative and invasive exotic species shall be allowed; revegetation shall be with plants or seeds collected within the same watershed whenever feasible.</p>
CE 8.2	<p>CE 8.2 Protection of Habitat Areas. [GP/CP] All development shall be located, designed, constructed, and managed to avoid disturbance of adverse impacts to special-status species and their habitats, including spawning, nesting, rearing, roosting, foraging, and other elements of the required habitats.</p>	<p>CE 8.2 Protection of Habitat Areas. [GP/CP] All development shall be located, designed, constructed, and managed to avoid disturbance of adverse impacts to special-status species and their habitats, including spawning, nesting, rearing, roosting, foraging, and other elements of the required habitats. <u>The City shall prepare a Citywide Habitat Management Plan that includes the guidelines and criteria for compatible uses in ESHA, ESHA buffers, and other such protected biological resources. The Citywide Habitat Management Plan shall include the standards applicable to new development near ESHAs.</u></p>	Same Change as Alt 2a.	<p>CE 8.2 Protection of Habitat Areas. [GP/CP] All development shall be located, designed, constructed, and managed to avoid disturbance of adverse impacts to special-status species and their habitats, including spawning, nesting, rearing, roosting, foraging, and other elements of the required habitats <u>to the maximum extent feasible. See also CE 1.7 for mitigation of impacts to ESHA and CE 1.9 for standards applicable to development projects.</u></p>

**TABLE 2-1
TRACK 3 POLICIES: CITY-INITIATED REVISIONS AND STAFF RECOMMENDATIONS**

Policy ID #	Alt 1 - No Changes (No Project)	Alt 2a - City-Initiated Revisions	Alt 2b – Options Associated with City-Initiated Revisions	Alt 3 – City Staff Recommended Revisions
ESHAs – Protection and Buffers				
CE 4.5	<p>CE 4.5 Buffers Adjacent to Monarch Butterfly ESHAs. [GP/CP] A buffer of a sufficient size to ensure the biological integrity and preservation of the monarch butterfly habitat, including aggregation sites and the surrounding grove of trees, shall be required. Buffers shall not be less than 100 feet around existing and historic roost sites as measured from the outer extent of the tree canopy. The buffer area shall serve as transitional habitat with native vegetation and shall provide physical barriers to human intrusion. The buffer may be reduced to 50 feet in circumstances where the trees contribute to the habitat but are not considered likely to function as an aggregation site, such as along narrow windrows. Grading and other activities that could alter the surface hydrology that sustains the groves of trees are prohibited within or adjacent to the buffer area.</p>	<p>CE 4.5 Buffers Adjacent to Monarch Butterfly ESHAs. [GP/CP] A buffer of a sufficient size to ensure the biological integrity and preservation of the monarch butterfly habitat, including aggregation sites and the surrounding grove of trees, shall be required. <u>The City shall prepare a Citywide Habitat Management Plan that includes the guidelines and criteria for compatible uses in ESHA, ESHA buffers, and other such protected biological resources. The Citywide Habitat Management Plan shall include the details regarding buffers adjacent to monarch butterfly ESHAs. Buffers shall not be less than 100 feet around existing and historic roost sites as measured from the outer extent of the tree canopy. The buffer area shall serve as transitional habitat with native vegetation and shall provide physical barriers to human intrusion. The buffer may be reduced to 50 feet in circumstances where the trees contribute to the habitat but are not considered likely to function as an aggregation site, such as along narrow windrows. Grading and other activities that could alter the surface hydrology that sustains the groves of trees are prohibited within or adjacent to the buffer area.</u></p>	Same Change as Alt 2a.	<p>CE 4.5 Buffers Adjacent to Monarch Butterfly ESHAs. [GP/CP] A buffer of a sufficient size to ensure the biological integrity and preservation of the monarch butterfly habitat, including aggregation sites and the surrounding grove of trees, shall be required. Buffers shall not be less than 100 feet around existing and historic roost sites as measured from the outer extent of the tree canopy. The buffer area shall serve as transitional habitat with native vegetation and shall provide physical barriers to human intrusion. The buffer may be reduced to 50 feet in circumstances where the trees contribute to the habitat but are not considered likely to function as an aggregation site, such as along narrow windrows. Grading and other activities that could alter the surface hydrology that sustains the groves of trees are prohibited within or adjacent to the buffer area, <u>unless the activity is allowed under other CE subpolicies and mitigation is applied per CE 1.7. Protections afforded to historic and existing roost sites shall be evaluated on a case-by-case basis by a qualified biologist.</u></p>
CE 8.4	<p>CE 8.4 Buffer Areas for Raptor Species. [GP/CP] Development shall be designed to provide a 100-foot buffer around active and historical nest sites for protected species of raptors when feasible. In existing developed areas, the width of the buffer may be reduced to correspond to the actual width of the buffer for adjacent development. If the biological study described in CE 8.3 determines that an active raptor nest site exists on the subject property, whenever feasible no vegetation clearing, grading, construction, or other development activity shall be allowed within a 300-foot radius of the nest site during the nesting and fledging season.</p>	<p>CE 8.4 Buffer Areas for Raptor Species. [GP/CP] Development shall be designed to provide a 100-foot buffer around active and historical nest sites for protected species of raptors when feasible. In existing developed areas, the width of the buffer may be reduced to correspond to the actual width of the buffer for adjacent development. If the biological study described in CE 8.3 determines that an active raptor nest site exists on the subject property, whenever feasible no vegetation clearing, grading, construction, or other development activity shall be allowed within a 300-foot radius of the nest site during the nesting and fledging season</p>	<p>CE 8.4 Buffer Areas for Raptor Species. [GP/CP] Development shall be designed to provide a 100-foot buffer around active and historical nest sites for protected species of raptors when feasible. In existing developed areas, the width of the buffer may be reduced to correspond to the actual width of the buffer for adjacent development. If the biological study described in CE 8.3 determines that an active raptor nest site exists on the subject property, whenever feasible no vegetation clearing, grading, construction, or other development activity shall be allowed within a 300-foot radius of the nest site during the nesting and fledging season. <u>The City shall prepare a Citywide Habitat Management Plan that includes the guidelines and criteria for compatible uses in ESHA, ESHA buffers, and other such protected biological resources. The Citywide Habitat Management Plan shall establish the criteria for and distance of buffer areas for raptor-related ESHAs.</u></p>	<p>CE 8.4 Buffer Areas for Raptor Species. [GP/CP] Development shall be designed to provide a 100-foot buffer around active and historical nest sites for protected species of raptors when feasible. <u>Protection afforded to historic nest sites shall be evaluated on a case-by-case basis by a qualified biologist.</u> In existing developed areas, the width of the buffer may be reduced to correspond to the actual width of the buffer for adjacent development. If the biological study described in CE 8.3 determines that an active raptor nest site exists on the subject property, whenever feasible no vegetation clearing, grading, construction, or other development activity shall be allowed within a 300-foot radius of the nest site during the nesting and fledging season</p>

**TABLE 2-1
TRACK 3 POLICIES: CITY-INITIATED REVISIONS AND STAFF RECOMMENDATIONS**

Policy ID #	Alt 1 - No Changes (No Project)	Alt 2a - City-Initiated Revisions	Alt 2b – Options Associated with City-Initiated Revisions	Alt 3 – City Staff Recommended Revisions
ESHAs – Development Standards				
CE 1.9	<p>CE 1.9 Standards Applicable to Development Projects. [GP/CP] The following standards shall apply to consideration of developments within or adjacent to ESHAs:</p> <ul style="list-style-type: none"> a. Site designs shall preserve wildlife corridors or habitat networks. Corridors shall be of sufficient width to protect habitat and dispersal zones for small mammals, amphibians, reptiles, and birds. b. Land divisions for parcels within or adjacent to an ESHA shall only be allowed if each new lot being created, except for open space lots, is capable of being developed without building in any ESHA or ESHA buffer and without any need for impacts to ESHAs related to fuel modification for fire safety purposes. c. Site plans and landscaping shall be designed to protect ESHAs. Landscaping, screening, or vegetated buffers shall retain, salvage, and/or reestablish vegetation that supports wildlife habitat whenever feasible. Development within or adjacent to wildlife habitat networks shall incorporate design techniques that protect, support, and enhance wildlife habitat values. Planting of nonnative, invasive species shall not be allowed in ESHAs and buffer areas adjacent to ESHAs. d. All new development shall be sited and designed so as to minimize grading, alteration of natural landforms and physical features, and vegetation clearance in order to reduce or avoid soil erosion, creek siltation, increased runoff, and reduced infiltration of stormwater and to prevent net increases in baseline flows for any receiving water body. e. Light and glare from new development shall be controlled and directed away from wildlife habitats. Exterior night lighting shall be minimized, restricted to low intensity fixtures, shielded, and directed away from ESHAs. f. In order to minimize adverse impacts related to fish and wildlife habitat conservation areas and noise, noise levels from new development should not exceed an exterior noise level of 60 Ldn (day-night noise level) at the habitat site. During construction, noise levels may exceed these levels when it can be demonstrated that significant adverse impacts on wildlife can be avoided or will be temporary. g. All new development shall be sited and designed to minimize the need for fuel modification, or weed abatement, for fire safety in order to preserve native and/or nonnative supporting habitats. Development shall use fire-resistant materials and incorporate alternative measures, such as firewalls and landscaping techniques, that will reduce or avoid fuel modification activities. h. The timing of grading and construction activities shall be controlled to minimize potential disruption of wildlife during critical time periods such as nesting or breeding seasons. i. Grading, earthmoving, and vegetation clearance adjacent to an ESHA shall be prohibited during the rainy season, generally from November 1 to March 31, except where necessary to protect or enhance the ESHA itself. An exception to this prohibition may be allowed if these actions are necessary to remediate hazardous flooding or geologic conditions that endanger public health and safety. j. In areas that are not adjacent to ESHAs, where grading may be allowed during the rainy season, erosion control measures such as sediment basins, silt fencing, sandbagging, and installation of geofabrics shall be implemented prior to and concurrent with all grading operations. 	<p>CE 1.9 Standards Applicable to Development Projects. [GP/CP] The following standards shall apply to consideration of developments within or adjacent to ESHAs:</p> <ul style="list-style-type: none"> a. Site designs shall preserve wildlife corridors or habitat networks. Corridors shall be of sufficient width to protect habitat and dispersal zones for small mammals, amphibians, reptiles, and birds. b. Land divisions for parcels within or adjacent to an ESHA shall only be allowed if each new lot being created, except for open space lots, is capable of being developed without building in any ESHA or ESHA buffer and without any need for impacts to ESHAs related to fuel modification for fire safety purposes. c. Site plans and landscaping shall be designed to protect ESHAs. Landscaping, screening, or vegetated buffers shall retain, salvage, and/or reestablish vegetation that supports wildlife habitat whenever feasible. Development within or adjacent to wildlife habitat networks shall incorporate design techniques that protect, support, and enhance wildlife habitat values. Planting of nonnative, invasive species shall not be allowed in ESHAs and buffer areas adjacent to ESHAs. d. All new development shall be sited and designed so as to minimize grading, alteration of natural landforms and physical features, and vegetation clearance in order to reduce or avoid soil erosion, creek siltation, increased runoff, and reduced infiltration of stormwater and to prevent net increases in baseline flows for any receiving water body. e. Light and glare from new development shall be controlled and directed away from wildlife habitats. Exterior night lighting shall be minimized, restricted to low intensity fixtures, shielded, and directed away from ESHAs. f. In order to minimize adverse impacts related to fish and wildlife habitat conservation areas and noise, noise levels from new development should not exceed an exterior noise level of 60 Ldn (day-night noise level) at the habitat site. During construction, noise levels may exceed these levels when it can be demonstrated that significant adverse impacts on wildlife can be avoided or will be temporary. g. All new development shall be sited and designed to minimize the need for fuel modification, or weed abatement, for fire safety in order to preserve native and/or nonnative supporting habitats. Development shall use fire-resistant materials and incorporate alternative measures, such as firewalls and landscaping techniques, that will reduce or avoid fuel modification activities. h. The timing of grading and construction activities shall be controlled to minimize potential disruption of wildlife during critical time periods such as nesting or breeding seasons. i. Grading, earthmoving, and vegetation clearance adjacent to an ESHA shall be prohibited during the rainy season, generally from November 1 to March 31, <u>unless erosion control measures such as sediment basins, silt fencing, sandbagging, or installation of geofabrics have been incorporated into the project and such measures receive prior City approval, or except</u> where necessary to protect or enhance the ESHA itself. An exception to this prohibition, <u>subject to City approval</u>, may be allowed if these actions are necessary to remediate hazardous flooding or geologic conditions that endanger public health and safety. j. In areas that are not adjacent to ESHAs, where grading may be allowed during the rainy season, erosion control measures such as sediment basins, silt fencing, sandbagging, and installation of geofabrics shall be implemented prior to and concurrent with all grading operations. 	Same Change as Alt 2a.	<p>CE 1.9 Standards Applicable to Development Projects. [GP/CP] The following standards shall apply to consideration of developments within or adjacent to ESHAs:</p> <ul style="list-style-type: none"> a. Site designs shall preserve wildlife corridors or habitat networks. Corridors shall be of sufficient width to protect habitat and dispersal zones for small mammals, amphibians, reptiles, and birds. b. Land divisions for parcels within or adjacent to an ESHA shall only be allowed if each new lot being created, except for open space lots, is capable of being developed without building in any ESHA or ESHA buffer and without any need for impacts to ESHAs related to fuel modification for fire safety purposes. c. Site plans and landscaping shall be designed to protect ESHAs. Landscaping, screening, or vegetated buffers shall retain, salvage, and/or reestablish vegetation that supports wildlife habitat whenever feasible. Development within or adjacent to wildlife habitat networks shall incorporate design techniques that protect, support, and enhance wildlife habitat values. Planting of nonnative, invasive species shall not be allowed in ESHAs and buffer areas adjacent to ESHAs. d. All new development shall be sited and designed so as to minimize grading, alteration of natural landforms and physical features, and vegetation clearance in order to reduce or avoid soil erosion, creek siltation, increased runoff, and reduced infiltration of stormwater and to prevent net increases in baseline flows for any receiving water body. e. Light and glare from new development shall be controlled and directed away from wildlife habitats. Exterior night lighting shall be minimized, restricted to low intensity fixtures, shielded, and directed away from ESHAs. f. <u>All new development should minimize potentially significant noise impacts on special-status species in adjacent ESHAs. In order to minimize adverse impacts related to fish and wildlife habitat conservation areas and noise, noise levels from new development should not exceed an exterior noise level of 60 Ldn (day-night noise level) at the habitat site. During construction, noise levels may exceed these levels when it can be demonstrated that significant adverse impacts on wildlife can be avoided or will be temporary.</u> g. All new development shall be sited and designed to minimize the need for fuel modification, or weed abatement, for fire safety in order to preserve native and/or nonnative supporting habitats. Development shall use fire-resistant materials and incorporate alternative measures, such as firewalls and landscaping techniques, that will reduce or avoid fuel modification activities. h. The timing of grading and construction activities shall be controlled to minimize potential disruption of wildlife during critical time periods such as nesting or breeding seasons. i. Grading, earthmoving, and vegetation clearance adjacent to an ESHA shall be prohibited during the rainy season, generally from November 1 to March 31, <u>except as follows: 1) where erosion control measures such as sediment basins, silt fencing, sandbagging, or installation of geofabrics have been incorporated into the project and approved in advance by the City; 2) where necessary to protect or enhance the ESHA itself; or 3) An exception to this prohibition may be allowed if these actions are</u> where necessary to remediate hazardous flooding or geologic conditions that endanger public health and safety. j. In areas that are not adjacent to ESHAs, where grading may be allowed during the rainy season, erosion control measures such as sediment basins, silt fencing, sandbagging, and installation of geofabrics shall be implemented prior to and concurrent with all grading operations.

**TABLE 2-1
TRACK 3 POLICIES: CITY-INITIATED REVISIONS AND STAFF RECOMMENDATIONS**

Policy ID #	Alt 1 - No Changes (No Project)	Alt 2a - City-Initiated Revisions	Alt 2b – Options Associated with City-Initiated Revisions	Alt 3 – City Staff Recommended Revisions
ESHAs – Development Standards				
CE 4.6	<p>CE 4.6 Standards Applicable to New Development Adjacent to Monarch ESHAs. [GP/CP] The following standards shall apply to consideration of proposals for new development adjacent to monarch ESHAs or ESHA buffers:</p> <ul style="list-style-type: none"> a. A site-specific biological study, prepared by an expert approved by the City who is qualified by virtue of education and experience in the study of monarch butterflies, shall be required to be submitted by the project proponent. b. The study shall include preparation of a Monarch Butterfly Habitat Protection Plan, which at a minimum shall include: 1) the mapped location of the cluster of trees where monarchs are known, or have been known, to roost in both autumnal and over-wintering aggregations; 2) an estimate of the size of the population within the colony; 3) the mapped extent of the entire habitat area; and 4) the boundaries of the buffer zone around the habitat area. c. A temporary fence shall be installed along the outer boundary of the buffer zone prior to and during any grading and construction activities on the site. d. If an active roost or aggregation is present on the project site, any construction grading, or other development within 200 feet of the active roost, shall be prohibited between October 1 and March 1. 	<p>CE 4.6 Standards Applicable to New Development Adjacent to Monarch ESHAs. [GP/CP] <u>The City shall prepare a Citywide Habitat Management Plan that includes the guidelines and criteria for compatible uses in ESHA, ESHA buffers, and other such protected biological resources. The Citywide Habitat Management Plan shall include the standards applicable to new development adjacent to monarch ESHAs.</u> The following standards shall apply to consideration of proposals for new development adjacent to monarch ESHAs or ESHA buffers:</p> <ul style="list-style-type: none"> a. A site-specific biological study, prepared by an expert approved by the City who is qualified by virtue of education and experience in the study of monarch butterflies, shall be required to be submitted by the project proponent. b. The study shall include preparation of a Monarch Butterfly Habitat Protection Plan, which at a minimum shall include: 1) the mapped location of the cluster of trees where monarchs are known, or have been known, to roost in both autumnal and over-wintering aggregations; 2) an estimate of the size of the population within the colony; 3) the mapped extent of the entire habitat area; and 4) the boundaries of the buffer zone around the habitat area. c. A temporary fence shall be installed along the outer boundary of the buffer zone prior to and during any grading and construction activities on the site. d. If an active roost or aggregation is present on the project site, any construction grading, or other development within 200 feet of the active roost, shall be prohibited between October 1 and March 1. 	Same Change as Alt 2a.	<p>CE 4.6 Standards Applicable to New Development Adjacent to Monarch ESHAs. [GP/CP] The following standards shall apply to consideration of proposals for new development adjacent to monarch ESHAs or ESHA buffers:</p> <ul style="list-style-type: none"> a. A site-specific biological study, prepared by an expert approved by the City who is qualified by virtue of education and experience in the study of monarch butterflies, shall be required to be submitted by the project proponent. b. The study shall include preparation of a Monarch Butterfly Habitat Protection Plan, which at a minimum shall include: 1) the mapped location of the cluster of trees where monarchs are known, or have been known, to roost in both autumnal and over-wintering aggregations; 2) an estimate of the size of the population within the colony; 3) the mapped extent of the entire habitat area; and 4) the boundaries of the buffer zone around the habitat area. c. A temporary fence shall be installed along the outer boundary of the buffer zone prior to and during any grading and construction activities on the site. d. If an active roost or aggregation is present on the project site, any construction grading, or other development within 200 feet of the active roost, shall be prohibited between October 1 and March 1, <u>unless it can be demonstrated that the Monarch Butterfly Habitat Protection Plan provides the necessary measures to protect the roost, subject to the approval of the City.</u>

**TABLE 2-1
TRACK 3 POLICIES: CITY-INITIATED REVISIONS AND STAFF RECOMMENDATIONS**

Policy ID #	Alt 1 - No Changes (No Project)	Alt 2a - City-Initiated Revisions	Alt 2b – Options Associated with City-Initiated Revisions	Alt 3 – City Staff Recommended Revisions
Streams and Creeks				
CE 2.2	<p>CE 2.2 Streamside Protection Areas. [GP/CP] A streamside protection area (SPA) is hereby established along both sides of the creeks identified in Figure 4-1. The purpose of the designation shall be to preserve the streamside protection area in a natural state in order to protect the associated riparian habitats and ecosystems. The streamside protection area shall include the creek channel, wetlands and/or riparian vegetation related to the creek hydrology, and an adjacent upland buffer area. The width of the streamside protection area shall be as follows:</p> <p>a. In areas where land has already been fully subdivided and developed, the SPA shall not be less than 50 feet outward on both sides of the creek, measured from the top of the bank or the outer limit of wetlands and/or riparian vegetation, whichever is greater. Exceptions may be allowed in instances where existing permitted development on a subject parcel encroaches within the 50-foot buffer if: (1) there is no feasible alternative siting for the development that will avoid the SPA; (2) the new development will not extend into the ESHA, and the resulting buffer will not be less than 25 feet; and (3) the new development will not encroach further into the SPA than the existing development on the parcel.</p> <p>b. In all other instances, the SPA shall not be less than 100 feet outward on both sides of the creek, measured from the top of the bank or the outer limit of associated wetlands and/or riparian vegetation, whichever is greater.</p> <p>c. If the provisions above would result in any legal parcel created prior to the date of this plan being made unusable in its entirety for any purpose allowed by the land-use plan, exceptions to the foregoing may be made to allow a reasonable economic use of the parcel, subject to approval of a conditional use permit.</p>	<p>CE 2.2 Streamside Protection Areas. [GP/CP] A streamside protection area (SPA) is hereby established along both sides of the creeks identified in Figure 4-1. The purpose of the designation shall be to preserve the streamside protection area in a natural state in order to protect the associated riparian habitats and ecosystems. The streamside protection area shall include the creek channel, wetlands and/or riparian vegetation related to the creek hydrology, and an adjacent upland buffer area. The width of the streamside protection area shall be as follows:</p> <p>a. In areas where land has already been fully subdivided and developed, the SPA shall not be less than 50 feet outward on both sides of the creek, measured from the top of the bank or the outer limit of wetlands and/or riparian vegetation, whichever is greater. Exceptions may be allowed in instances where existing permitted development on a subject parcel encroaches within the 50-foot buffer if: (1) there is no feasible alternative siting for the development that will avoid the SPA; (2) the new development will not extend into the ESHA, and the resulting buffer will not be less than 25 feet; and (3) the new development will not encroach further into the SPA than the existing development on the parcel.</p> <p>b. In all other instances, the SPA shall not be less than <u>50-100</u> feet outward on both sides of the creek, measured from the top of the bank or the outer limit of associated wetlands and/or riparian vegetation, whichever is greater.</p> <p>c. If the provisions above would result in any legal parcel created prior to the date of this plan being made unusable in its entirety for any purpose allowed by the land-use plan, exceptions to the foregoing may be made to allow a reasonable economic use of the parcel, subject to approval of a conditional use permit.</p>	<p>CE 2.2 Streamside Protection Areas. [GP/CP] A streamside protection area (SPA) is hereby established along both sides of the creeks identified in Figure 4-1. The purpose of the designation shall be to preserve the streamside protection area in a natural state in order to protect the associated riparian habitats and ecosystems. The streamside protection area shall include the creek channel, wetlands and/or riparian vegetation related to the creek hydrology, and an adjacent upland buffer area. The width of the streamside protection area shall be <u>determined in accordance with the City's adopted Streamside Protection Plan. The Streamside Protection Plan should reflect varying buffer widths based on differences in stream class/order and levels of adjacent development, as follows:</u></p> <p>a. In areas where land has already been fully subdivided and developed, the SPA shall not be less than 50 feet outward on both sides of the creek, measured from the top of the bank or the outer limit of wetlands and/or riparian vegetation, whichever is greater. Exceptions may be allowed in instances where existing permitted development on a subject parcel encroaches within the 50-foot buffer if: (1) there is no feasible alternative siting for the development that will avoid the SPA; (2) the new development will not extend into the ESHA, and the resulting buffer will not be less than 25 feet; and (3) the new development will not encroach further into the SPA than the existing development on the parcel.</p> <p>b. In all other instances, the SPA shall not be less than 50-100 feet outward on both sides of the creek, measured from the top of the bank or the outer limit of associated wetlands and/or riparian vegetation, whichever is greater.</p> <p>c. If the provisions above would result in any legal parcel created prior to the date of this plan being made unusable in its entirety for any purpose allowed by the land-use plan, exceptions to the foregoing may be made to allow a reasonable economic use of the parcel, subject to approval of a conditional use permit.</p>	<p>CE 2.2 Streamside Protection Areas. [GP/CP] A streamside protection area (SPA) is hereby established along both sides of the creeks identified in Figure 4-1. The purpose of the designation shall be to preserve the <u>SPA streamside protection area</u> in a natural state in order to protect the associated riparian habitats and ecosystems. The <u>SPA streamside protection area</u> shall include the creek channel, wetlands and/or riparian vegetation related to the creek hydrology, and an adjacent upland buffer area. The width of the SPA <u>upland buffer streamside protection area</u> shall be as follows:</p> <p>a. In areas where land has already been fully subdivided and developed, the SPA upland buffer shall not be less than 50 feet outward on both sides of the creek, measured from the top of the bank or the outer limit of wetlands and/or riparian vegetation, whichever is greater. The City may consider increasing or decreasing the width of the SPA upland buffer on a case-by-case basis at the time of application review. The City may allow portions of a SPA upland buffer to be less than 50 feet wide based on a site specific assessment if (1) there is no feasible alternative siting for development that will avoid the SPA upland buffer; and (2) the project's impacts will not have significant adverse effects on streamside vegetation or the biotic quality of the stream. Exceptions may be allowed in instances where existing permitted development on a subject parcel encroaches within the 50-foot buffer if: (1) there is no feasible alternative siting for the development that will avoid the SPA; (2) the new development will not extend into the ESHA, and the resulting buffer will not be less than 25 feet; and (3) the new development will not encroach further into the SPA than the existing development on the parcel.</p> <p>b. In all other instances, the SPA shall not be less than 100 feet outward on both sides of the creek, measured from the top of the bank or the outer limit of associated wetlands and/or riparian vegetation, whichever is greater.</p> <p><u>b-e.</u> If the provisions above would result in any legal parcel created prior to the date of this plan being made unusable in its entirety for any purpose allowed by the land-use plan, exceptions to the foregoing may be made to allow a reasonable economic use of the parcel, subject to approval of a conditional use permit.</p>
CE 2.3	<p>CE 2.3 Allowable Uses and Activities in Streamside Protection Areas. [GP/CP] The following compatible land uses and activities may be allowed in SPAs, subject to all other policies of this plan, including those requiring avoidance or mitigation of impacts:</p> <p>a. Agricultural operations, provided they are compatible with preservation of riparian resources.</p> <p>b. Fencing along property boundaries and along SPA boundaries.</p> <p>c. Maintenance of existing roads, driveways, utilities, structures, and drainage improvements.</p> <p>d. Construction of public road crossings and utilities, provided that there is no feasible, less environmentally damaging alternative.</p> <p>e. Construction and maintenance of foot trails, bicycle paths, and similar low-impact facilities for public access.</p> <p>f. Resource restoration or enhancement projects.</p> <p>g. Nature education and research activities.</p> <p>h. Low-impact interpretive and public access signage.</p> <p>Any land use, construction, grading, or removal of vegetation that is not listed above is prohibited.</p>	<p>CE 2.3 Allowable Uses and Activities in Streamside Protection Areas. [GP/CP] The following compatible land uses and activities may be allowed in SPAs, subject to all other policies of this plan, including those requiring avoidance or mitigation of impacts:</p> <p>a. Agricultural operations, provided they are compatible with preservation of riparian resources.</p> <p>b. Fencing <u>and other access barriers</u> along property boundaries and along SPA boundaries.</p> <p>c. Maintenance of existing roads, driveways, utilities, structures, and drainage improvements.</p> <p>d. Construction of public road crossings and utilities, provided that there is no feasible, less environmentally damaging alternative.</p> <p>e. Construction and maintenance of foot trails, bicycle paths, and similar low-impact facilities for public access.</p> <p>f. Resource restoration or enhancement projects.</p> <p>g. Nature education and research activities.</p> <p>h. Low-impact interpretive and public access signage.</p> <p><u>i. Other such Public Works projects only where there are no feasible, less environmentally damaging alternative.</u></p> <p>Any land use, construction, grading, or removal of vegetation that is not listed above is prohibited.</p>	Same Change as Alt 2a.	Same Change as Alt 2a.

**TABLE 2-1
TRACK 3 POLICIES: CITY-INITIATED REVISIONS AND STAFF RECOMMENDATIONS**

Policy ID #	Alt 1 - No Changes (No Project)	Alt 2a - City-Initiated Revisions	Alt 2b – Options Associated with City-Initiated Revisions	Alt 3 – City Staff Recommended Revisions
Streams and Creeks				
CE 2.5	<p>CE 2.5 Maintenance of Creeks as Natural Drainage Systems. [GP/CP] Creek banks, creek channels, and associated riparian areas shall be maintained or restored to their natural condition wherever such conditions or opportunities exist. Creeks carry a significant amount of Goleta’s stormwater flows. The following standards shall apply:</p> <ul style="list-style-type: none"> a. The capacity of natural drainage courses shall not be diminished by development or other activities. b. Drainage controls and improvements shall be accomplished with the minimum vegetation removal and disruption of the creek and riparian ecosystem that is necessary to accomplish the drainage objective. c. Measures to stabilize creek banks, improve flow capacity, and reduce flooding are allowed but shall not include installation of new concrete channels, culverts, or pipes except at street crossings, unless it is demonstrated that there is no feasible alternative for improving capacity. d. Drainage controls in new development shall be required to minimize erosion, sedimentation, and flood impacts to creeks. Onsite treatment of stormwater through retention basins, infiltration, vegetated swales, and other best management practices (BMPs) shall be required in order to protect water quality and the biological functions of creek ecosystems. e. Alteration of creeks for the purpose of road or driveway crossings shall be prohibited except where the alteration is not substantial and there is no other feasible alternative to provide access to new development on an existing legal parcel. Creek crossings shall be accomplished by bridging and shall be designed to allow the passage of fish and wildlife. Bridge abutments or piers shall be located outside creek beds and banks. 	<p>CE 2.5 Maintenance of Creeks as Natural Drainage Systems. [GP/CP] Creek banks, creek channels, and associated riparian areas shall be maintained or restored to their natural condition wherever such conditions or opportunities exist. Creeks carry a significant amount of Goleta’s stormwater flows. The following standards shall apply:</p> <ul style="list-style-type: none"> a. The capacity of natural drainage courses shall not be diminished by development or other activities. b. Drainage controls and improvements shall be accomplished with the minimum vegetation removal and disruption of the creek and riparian ecosystem that is necessary to accomplish the drainage objective. c. Measures to stabilize creek banks, improve flow capacity, and reduce flooding are allowed but shall not include installation of new concrete channels, culverts, or pipes except at street crossings, unless it is demonstrated that there is no feasible alternative for improving capacity. d. Drainage controls in new development shall be required to minimize erosion, sedimentation, and flood impacts to creeks. Onsite treatment of stormwater through retention basins, infiltration, vegetated swales, and other best management practices (BMPs) shall be required in order to protect water quality and the biological functions of creek ecosystems. e. Alteration of creeks for the purpose of road or driveway crossings shall be prohibited except where the alteration is not substantial and there is no other feasible alternative to provide access to new development on an existing legal parcel. Creek crossings shall be accomplished by bridging and shall be designed to allow the passage of fish and wildlife. Bridge abutments or piers <u>shall be located outside creek beds and banks, where feasible.</u> 	Same Change as Alt 2a.	Same Change as Alt 2a.

Policy ID #	Alt 1 - No Changes (No Project)	Alt 2a - City-Initiated Revisions	Alt 2b – Options Associated with City-Initiated Revisions	Alt 3 – City Staff Recommended Revisions
Wetlands				
CE 3.1	<p>CE 3.1 Definition of Wetlands. [GP/CP] <i>Wetlands</i> are defined as those areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Lands classified as wetlands generally have one or more of three indicators: (1) a substrate that is predominately undrained hydric soils; (2) at least periodically, the land supports a preponderance of plants adapted to moist areas, or hydrophytic plants; or (3) a surface or subsurface water source that is present for sufficient periods of time to promote formation of hydric soils or growth of hydrophytic plant species.</p>	<p>CE 3.1 Definition of Wetlands. [GP/CP] <i>Wetlands</i> are defined as <u>land where the water table is at near, or above the land surface long enough to promote the formation of hydric soils or to support the growth of hydrophytes, and shall also include types of wetlands where vegetation is lacking and soil is poorly developed or absent as a result of frequent drastic fluctuations of surface water levels, wave action, water flow, turbidity or high concentration of salts or other substances in the substrate. Such wetlands can be recognized by the presence of surface water or saturated substrate at some point during each year and their location within, or adjacent to vegetated wetland or deepwater habitats.</u> those areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Lands classified as wetlands generally have one or more of three indicators: (1) a substrate that is predominately undrained hydric soils; (2) at least periodically, the land supports a preponderance of plants adapted to moist areas, or hydrophytic plants; or (3) a surface or subsurface water source that is present for sufficient periods of time to promote formation of hydric soils or growth of hydrophytic plant species.</p>	<p>CE 3.1 Definition of Wetlands. [GP/CP] <i>Wetlands</i> are defined as <u>any area that meets the definition of a wetland as defined by the California Coastal Commission, California Department of Fish and Game, U.S. Fish and Wildlife Service, and U.S. Army Corps of Engineers. The most protective of definitions shall be applied and used to determine the boundary of a wetland.</u> those areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Lands classified as wetlands generally have one or more of three indicators: (1) a substrate that is predominately undrained hydric soils; (2) at least periodically, the land supports a preponderance of plants adapted to moist areas, or hydrophytic plants; or (3) a surface or subsurface water source that is present for sufficient periods of time to promote formation of hydric soils or growth of hydrophytic plant species.</p>	Same Change as Alt 2b.

**TABLE 2-1
TRACK 3 POLICIES: CITY-INITIATED REVISIONS AND STAFF RECOMMENDATIONS**

Policy ID #	Alt 1 - No Changes (No Project)	Alt 2a - City-Initiated Revisions	Alt 2b – Options Associated with City-Initiated Revisions	Alt 3 – City Staff Recommended Revisions
Wetlands				
CE 3.4	<p>CE 3.4 Protection of Wetlands in the Coastal Zone. [CP] The biological productivity and the quality of wetlands shall be protected and, where feasible, restored. The filling, diking, or dredging of open coastal waters, wetlands, estuaries, and lakes is prohibited unless it can be demonstrated that:</p> <ol style="list-style-type: none"> There is no feasible, environmentally less damaging alternative to wetland fill. The extent of the fill is the least amount necessary to allow development of the permitted use. Mitigation measures have been provided to minimize adverse environmental effects. The purposes of the fill are limited to: incidental public services, such as burying cables or pipes; restoration of wetlands; and nature study, education, or similar resource-dependent activities. <p>A wetland buffer of a sufficient size to ensure the biological integrity and preservation of the wetland shall be required, but in no case shall wetland buffers be less than 100 feet. The buffer area shall serve as transitional habitat with native vegetation and shall provide physical barriers to human intrusion.</p>	<p>CE 3.4 Protection of Wetlands in the Coastal Zone. [CP] The biological productivity and the quality of wetlands shall be protected and, where feasible, restored, <u>in accordance with the federal and state regulations and policies that apply to wetlands within the Coastal Zone. Only uses permitted by the regulating agencies shall be allowed within wetlands.</u> The filling, diking, or dredging of open coastal waters, wetlands, estuaries, and lakes is prohibited unless it can be demonstrated that:</p> <ol style="list-style-type: none"> There is no feasible, environmentally less damaging alternative to wetland fill. The extent of the fill is the least amount necessary to allow development of the permitted use. Mitigation measures have been provided to minimize adverse environmental effects. The purposes of the fill are limited to: incidental public services, such as burying cables or pipes; restoration of wetlands; and nature study, education, or similar resource-dependent activities. <p>A wetland buffer of a sufficient size to ensure the biological integrity and preservation of the wetland shall be required. <u>Generally the required buffer shall be 100 feet, but in no case shall wetland buffers be less than 50-100 feet. The buffer size should take into consideration the type and size of the development, the sensitivity of the wetland resources to detrimental edge effects of the development to the resources, natural features such as topography, the functions and values of the wetland and the need for upland transitional habitat. A 100-foot minimum buffer area shall not be reduced when it serves the functions and values of slowing and absorbing flood waters for flood and erosion control, sediment filtration, water purification, and ground water recharge.</u> The buffer area shall serve as transitional habitat with native vegetation and shall provide physical barriers to human intrusion.</p>	<p>CE 3.4 Protection of Wetlands in the Coastal Zone. [CP] The biological productivity and the quality of wetlands shall be protected and, where feasible, restored. <u>The City shall prepare a Riparian and Wetland Mitigation Ordinance that establishes buffers and includes the guidelines and criteria for determining the required mitigation for impacts to these resources.</u> The filling, diking, or dredging of open coastal waters, wetlands, estuaries, and lakes is prohibited unless it can be demonstrated that:</p> <ol style="list-style-type: none"> There is no feasible, environmentally less damaging alternative to wetland fill. The extent of the fill is the least amount necessary to allow development of the permitted use. Mitigation measures have been provided to minimize adverse environmental effects. The purposes of the fill are limited to: incidental public services, such as burying cables or pipes; restoration of wetlands; and nature study, education, or similar resource-dependent activities. <p><u>A wetland buffer of a sufficient size to ensure the biological integrity and preservation of the wetland shall be required, but in no case shall wetland buffers be less than 100 feet. The buffer area shall serve as transitional habitat with native vegetation and shall provide physical barriers to human intrusion.</u></p>	Same Change as Alt 2a.
CE 3.5	<p>CE 3.5 Protection of Wetlands Outside the Coastal Zone [GP]. The biological productivity and the quality of inland wetlands shall be protected and, where feasible, restored. The filling of wetlands outside the Coastal Zone is prohibited unless it can be demonstrated that:</p> <ol style="list-style-type: none"> The wetland area is small, isolated, not part of a larger hydrologic system, and generally lacks productive or functional habitat value. The extent of the fill is the least amount necessary to allow reasonable development of a use allowed by the Land Use Element. Mitigation measures will be provided to minimize adverse environmental effects, including restoration or enhancement of habitat values of wetlands at another location on the site or at another appropriate offsite location within the City. <p>A wetland buffer of a sufficient size to ensure the biological integrity and preservation of the wetland shall be required. Generally a wetland buffer shall be 100 feet, but in no case shall a wetland buffer be less than 50 feet. The buffer area shall serve as transitional habitat with native vegetation and shall provide physical barriers to human intrusion.</p>	<p>CE 3.5 Protection of Wetlands Outside the Coastal Zone [GP]. The biological productivity and the quality of inland wetlands shall <u>should</u> be protected and, where feasible, restored. The filling of wetlands outside the Coastal Zone is prohibited unless it can be demonstrated that:</p> <ol style="list-style-type: none"> The wetland area is small, isolated, not part of a larger hydrologic system, and generally lacks productive or functional habitat value. The extent of the fill is the least amount necessary to allow reasonable development of a use allowed by the Land Use Element. Mitigation measures will <u>may</u> be provided to minimize adverse environmental effects, including restoration or enhancement of habitat values of wetlands at another location on the site or at another appropriate offsite location within the City. <p>A wetland buffer of a sufficient size to ensure the biological integrity and preservation of the wetland shall <u>should</u> be required. Generally a wetland buffer shall <u>should</u> be 100 feet, but in no case shall should <u>should</u> a wetland buffer be less than 50 feet. The buffer area s shall <u>should</u> serve as transitional habitat with native vegetation and shall <u>should</u> provide physical barriers to human intrusion.</p>	<p>CE 3.5 Protection of Wetlands Outside the Coastal Zone [GP]. The biological productivity and the quality of inland wetlands shall be protected and, where feasible, restored. <u>The City shall prepare a Riparian and Wetland Mitigation Ordinance that establishes buffers and includes the guidelines and criteria for determining the required mitigation for impacts to these resources.</u> The filling of wetlands outside the Coastal Zone is prohibited unless it can be demonstrated that:</p> <ol style="list-style-type: none"> The wetland area is small, isolated, not part of a larger hydrologic system, and generally lacks productive or functional habitat value. The extent of the fill is the least amount necessary to allow reasonable development of a use allowed by the Land Use Element. Mitigation measures will be provided to minimize adverse environmental effects, including restoration or enhancement of habitat values of wetlands at another location on the site or at another appropriate offsite location within the City. <p><u>A wetland buffer of a sufficient size to ensure the biological integrity and preservation of the wetland shall be required. Generally a wetland buffer shall be 100 feet, but in no case shall a wetland buffer be less than 50 feet. The buffer area shall serve as transitional habitat with native vegetation and shall provide physical barriers to human intrusion.</u></p>	<p>CE 3.5 Protection of Wetlands Outside the Coastal Zone, [GP]. The biological productivity and the quality of inland wetlands shall be protected and, where feasible, restored. The filling of wetlands outside the Coastal Zone is prohibited unless it can be demonstrated that:</p> <ol style="list-style-type: none"> The wetland area is small, isolated, not part of a larger hydrologic system, and generally lacks productive or functional habitat value. The extent of the fill is the least amount necessary to allow reasonable development of a use allowed by the Land Use Element. Mitigation measures will be provided to minimize adverse environmental effects, including restoration or enhancement of habitat values of wetlands at another location on the site or at another appropriate offsite location within the City. <p>A wetland buffer of a sufficient size to ensure the biological integrity and preservation of the wetland shall be required. <u>Generally a wetland buffer shall be no 100 feet, but in no case shall a wetland buffer be less than 50 feet. The buffer size should take into consideration the type and size of the development, the sensitivity of the wetland resources to detrimental edge effects of the development to the resources, natural features such as topography, the functions and values of the wetland and the need for upland transitional habitat.</u> The buffer area shall serve as transitional habitat with native vegetation and shall provide physical barriers to human intrusion.</p>

**TABLE 2-1
TRACK 3 POLICIES: CITY-INITIATED REVISIONS AND STAFF RECOMMENDATIONS**

Policy ID #	Alt 1 - No Changes (No Project)	Alt 2a - City-Initiated Revisions	Alt 2b – Options Associated with City-Initiated Revisions	Alt 3 – City Staff Recommended Revisions
Protection of Trees				
CE 9.1	CE 9.1 Definition of Protected Trees. [GP/CP] New development shall be sited and designed to preserve the following species of native trees: oaks (<i>Quercus</i> spp.), walnut (<i>Juglans californica</i>), sycamore (<i>Platanus racemosa</i>), cottonwood (<i>Populus</i> spp.), willows (<i>Salix</i> spp.), toyon (<i>Heteromeles arbutifolia</i>), or other native trees that are not otherwise protected in ESHAs.	CE 9.1 Definition of Protected Trees. [GP/CP] New development, <u>where feasible</u> , shall be sited and designed to preserve the following species of native trees: oaks (<i>Quercus</i> spp.), walnut (<i>Juglans californica</i>), sycamore (<i>Platanus racemosa</i>), cottonwood (<i>Populus</i> spp.), willows (<i>Salix</i> spp.), toyon (<i>Heteromeles arbutifolia</i>) , or other native trees that are not otherwise protected in ESHAs. <u>If total avoidance of the native tree is not feasible, relocation should be permitted, and if relocation is not feasible, replacement in accordance with subpolicy CE 9.5 should be permitted.</u>	Same Change as Alt 2a.	Same Change as Alt 2a.
CE 9.3	CE 9.3 Native Oak Woodlands or Savannas. [GP/CP] Native oak woodlands and savannas are designated as ESHAs and shall be preserved and protected. A minimum buffer area 25 feet wide shall be provided around the woodland, measured from the outer extent of the canopy of the trees or the critical root zone, whichever is greater.	CE 9.3 Native Oak Woodlands or Savannas. [GP/CP] Native oak woodlands and savannas are designated as ESHAs and shall be preserved and protected. <u>The City shall prepare a Citywide Habitat Management Plan that includes the guidelines and criteria for compatible uses in ESHA, ESHA buffers, and other such protected biological resources.</u> A minimum buffer area <u>shall be established through the Citywide Habitat Management Plan. 25 feet wide shall be provided around the woodland, measured from the outer extent of the canopy of the trees or the critical root zone, whichever is greater.</u>	Same Change as Alt 2a.	CE 9.3 Native Oak Woodlands or Savannas. [GP/CP] Native oak woodlands and savannas are designated as ESHAs and shall be preserved and protected. A minimum buffer area <u>shall be established via the implementation of CE-IA-4 Preparation of a Tree Protection Ordinance. 25 feet wide shall be provided around the woodland, measured from the outer extent of the canopy of the trees or the critical root zone, whichever is greater.</u>
CE-IA-4	CE-IA-4 Preparation of a Tree Protection Ordinance. The City may prepare and adopt a Tree Protection Ordinance that addresses standards for: heritage trees; public right-of-way trees; parking lot shade trees; native trees; street and parkway trees; and anti-topping. <u>Time period:</u> 2008 <u>Responsible party:</u> Planning and Environmental Services Department; Community Services Department	CE-IA-4 Preparation of a Tree Protection Ordinance. The City may prepare and adopt a Tree Protection Ordinance that addresses standards for: heritage trees; public right-of-way trees; parking lot shade trees; native trees; <u>protective buffer widths for native trees, tree protection zones, mitigation ratios,</u> street and parkway trees; and anti-topping. <u>Time period:</u> 2008 <u>Responsible party:</u> Planning and Environmental Services Department; Community Services Department	Same Change as Alt 2a.	Same Change as Alt 2a.
CE 9.4	CE 9.4 Tree Protection Standards. [GP/CP] The following impacts to native trees and woodlands shall be avoided in the design of projects except where no other feasible alternative exists: 1) removal of native trees; 2) fragmentation of habitat; 3) removal of understory; 4) disruption of the canopy, and 5) alteration of drainage patterns. Structures, including roads and driveways, shall be sited to prevent any encroachment into the critical root zone and to provide an adequate buffer outside of the critical root zone of individual native trees in order to allow for future growth.	CE 9.4 Tree Protection Standards. [GP/CP] The following impacts to native trees and woodlands shall be avoided in the design of projects except where no other feasible alternative exists: 1) removal of native trees; 2) fragmentation of habitat; 3) removal of understory; 4) disruption of the canopy, and 5) alteration of drainage patterns. Structures, including roads and driveways, should shall be sited to prevent any encroachment into the <u>protection zone of any protected tree critical root zone</u> and to provide an adequate buffer outside of the <u>protection zonecritical root zone</u> of individual native trees in order to allow for future growth. <u>Tree protection standards shall be detailed in the Tree Protection Ordinance called for in CE-IA-4.</u>	Same Change as Alt 2a.	Same Change as Alt 2a.
CE 9.5	CE 9.5 Mitigation of Impacts to Native Trees. [GP/CP] Where the removal of mature native trees cannot be avoided through the implementation of project alternatives or where development encroaches into the protected zone and could threaten the continued viability of the tree(s), mitigation measures shall include, at a minimum, the planting of replacement trees on site, if suitable area exists on the subject site, at a ratio of 10 replacement trees for every one tree removed. Where onsite mitigation is not feasible, offsite mitigation shall be provided by planting of replacement trees at a site within the same watershed. If the tree removal occurs at a site within the Coastal Zone, any offsite mitigation area shall also be located within the Coastal Zone. Minimum sizes for various species of replacement trees shall be established by ordinance. Mitigation sites shall be monitored for a period of 5 years. The City may require replanting of trees that do not survive.	CE 9.5 Mitigation of Impacts to Native Trees. [GP/CP] Where the removal of mature native trees cannot be avoided through the implementation of project alternatives or where development encroaches into the protected zone and could threaten the continued viability of the tree(s), mitigation measures shall include, at a minimum, the planting of replacement trees on site, if suitable area exists on the subject site, <u>or offsite if suitable onsite area is unavailable, consistent with the Tree Protection Ordinance (see also CE-IA-4). The Tree Protection Ordinance shall establish the mitigation ratios for replacement trees for every tree removed, at a ratio of 10 replacement trees for every one tree removed.</u> Where onsite mitigation is not feasible, offsite mitigation shall be provided by planting of replacement trees at a site within the same watershed. If the tree removal occurs at a site within the Coastal Zone, any offsite mitigation area shall also be located within the Coastal Zone. Minimum sizes for various species of replacement trees shall be established <u>in the Tree Protection Ordinance, by ordinance.</u> Mitigation sites shall be monitored for a period of 5 years. The City may require replanting of trees that do not survive.	Same Change as Alt 2a.	Same Change as Alt 2a.

**TABLE 2-1
TRACK 3 POLICIES: CITY-INITIATED REVISIONS AND STAFF RECOMMENDATIONS**

Policy ID #	Alt 1 - No Changes (No Project)	Alt 2a - City-Initiated Revisions	Alt 2b – Options Associated with City-Initiated Revisions	Alt 3 – City Staff Recommended Revisions
Storm Water Management				
CE 10.3	CE 10.3 Incorporation of Best Management Practices for Stormwater Management [GP/CP]: New development shall be designed to minimize impacts to water quality from increased runoff volumes and discharges of pollutants from non-point sources to the maximum extent feasible consistent with the requirements and standards of the Central Coast Regional Water Quality Control Board. Post construction structural BMPs shall be designed to treat, infiltrate, or filter stormwater runoff in accordance with the City's Stormwater Management Program. Examples of BMPs include the following: a. Retention and detention basins; b. Vegetated swales; c. Infiltration galleries or injection wells; d. Use of permeable paving materials; e. Mechanical devices such as oil-water separators and filters; f. Revegetation of graded or disturbed areas; g. Other measures that are promoted by the Central Coast Regional Water Quality Control Board and those described in the BMP report of the Bay Area Association of Stormwater Management Agencies.	CE 10.3 Incorporation of Best Management Practices for Stormwater Management [GP/CP]: New development shall be designed to minimize impacts to water quality from increased runoff volumes and discharges of pollutants from non-point sources to the maximum extent feasible, consistent with the requirements and standards of the Central Coast Regional Water Quality Control Board. Post construction structural BMPs shall be designed to treat, infiltrate, or filter stormwater runoff in accordance with <u>adopted State Legislation, and the City's Stormwater Management Plan as approved by the Central Coast Regional Water Quality Control Board.</u> Examples of BMPs include the following: a. Retention and detention basins; b. Vegetated swales; c. Infiltration galleries or injection wells; d. Use of permeable paving materials; e. Mechanical devices such as oil-water separators and filters; f. Revegetation of graded or disturbed areas; g. Other measures as <u>identified in the City's adopted Stormwater Management Plan, promoted by the Central Coast Regional Water Quality Control Board and those described in the BMP report of the Bay Area Association of Stormwater Management Agencies.</u>	Same Change as Alt 2a.	CE 10.3 Incorporation of Best Management Practices for Stormwater Management [GP/CP]: New development shall be designed to minimize impacts to water quality from increased runoff volumes and discharges of pollutants from non-point sources to the maximum extent feasible, <u>consistent with the City's Storm Water Management Plan or a subsequent Storm Water Management Plan approved by the City and the</u> consistent with the requirements and standards of the Central Coast Regional Water Quality Control Board. Post construction structural BMPs shall be designed to treat, infiltrate, or filter stormwater runoff in accordance with <u>applicable standards as required by law, the City's Stormwater Management Program.</u> Examples of BMPs include, <u>but are not limited to,</u> the following: a. Retention and detention basins; b. Vegetated swales; c. Infiltration galleries or injection wells; d. Use of permeable paving materials; e. Mechanical devices such as oil-water separators and filters; f. Revegetation of graded or disturbed areas; g. Other measures <u>as identified in the City's adopted Storm Water Management Plan, that are promoted by the Central Coast Regional Water Quality Control Board and those described in the BMP report of the Bay Area Association of Stormwater Management Agencies.</u>

Policy ID #	Alt 1 - No Changes (No Project)	Alt 2a - City-Initiated Revisions	Alt 2b – Options Associated with City-Initiated Revisions	Alt 3 – City Staff Recommended Revisions
Traffic Mitigation Options				
TE 13.4	TE 13.4 Options If Traffic Mitigations Are Not Fully Funded. [GP] If the transportation capital improvements needed to maintain adopted transportation LOS standards are not able to be funded, then the City shall take one or more of the following four actions: a. Phase or delay development until such time that adequate fiscal resources can be provided to build the necessary facilities transportation improvements (or to include them in the impact fee system). b. Require the developer to construct the necessary transportation system improvements, with a reimbursement agreement that uses future payments of impact fees by other projects. c. Reduce the scope of the development to reduce the traffic generation below the thresholds set in Policy TE 4. d. Require the developer to identify alternative strategies, such as transit improvements, improving signalization, improving other streets, adding pedestrian or bicycle improvements, etc., to mitigate potential traffic impacts.	TE 13.4 Options If Traffic Mitigations Are Not Fully Funded. [GP] If the transportation capital improvements needed to maintain adopted transportation LOS standards are not able to be funded, then the City shall take one or more of the following four actions: a. Phase or delay development until such time that adequate fiscal resources can be provided to build the necessary facilities transportation improvements (or to include them in the impact fee system). b. Require the developer to construct the necessary transportation system improvements, with a reimbursement agreement that uses future payments of impact fees by other projects. c. Reduce the scope of the development to reduce the traffic generation below the thresholds set in Policy TE 4. d. Require the developer to identify alternative strategies, such as transit improvements, improving signalization, improving other streets, adding pedestrian or bicycle improvements, etc., to mitigate <u>minimize</u> potential traffic impacts.	Same Change as Alt 2a.	Same as Alt 1, No Action.

**TABLE A.1-1
NOP COMMENT LETTERS—GOLETA GP/CLUP SUPPLEMENTAL EIR**

Comment No.	Commentator / Comment	SEIR Section Where Addressed
A.1	California Department of Fish and Game	
A.1-1	Assess flora and fauna, including endangered, threatened, and locally unique species.	3.4.1
A.1-2	Assess rare plants and rare natural communities.	3.4.1
A.1-3	Assess sensitive fish, wildlife, reptile, and amphibian species.	3.4.1
A.1-4	Address rare, threatened, and endangered species per CEQA definition.	3.4.1
A.1-5	Contact California Natural Diversity Database. Address Significant Ecological Areas, Significant Natural Areas, and Environmentally Sensitive Habitats.	3.4.1
A.1-6	Discuss direct, indirect, and cumulative impacts to biological resources.	3.4.3
A.1-7	Address regional setting and resources that are rare or unique to the region.	3.4.3
A.1-8	Analyze project impacts relative to off-site habitats and populations.	3.4.3
A.1-9	Analyze cumulative impacts relative to plant communities and wildlife habitats.	3.4.3
A.1-10	Evaluate impacts to migratory wildlife.	3.4.3
A.1-11	Evaluate impacts to habitats from City or County required Fuel Modification Zones.	3.4.3
A.1-12	Proposed project activities should take place outside of the bird breeding season (Feb 1 – Aug 15).	3.4.3
A.1-13	Describe feasible measures which could minimize significant adverse impacts.	3.4.3
A.1-14	Rare Natural Communities should be avoided and protected from project-related impacts.	3.4.3
A.1-15	The Department does not support the use of relocation, salvage, and/or transplantation as mitigation for impacts to rare, threatened, or endangered species.	3.4.3
A.1-16	Analyze a range of alternatives to ensure that alternatives to the project are fully considered and evaluated.	3.4.3
A.1-17	A California Endangered Species Act (CESA) Permit must be obtained if the project has the potential to result in “take” of species or plants listed under CESA.	3.4.2
A.1-18	Biological mitigation monitoring and reporting proposals should satisfy the requirements of a CESA Permit.	3.4.2
A.1-19	A Department-approved Mitigation Agreement and Mitigation Plan are required for plants listed as rare under the Native Plant Protection Act.	3.4.3
A.1-20	All wetlands and watercourses must be retained and provided with substantial setbacks which preserve their riparian and aquatic habitat values and maintain their value to wildlife populations.	3.4.3
A.1-21	The Department requires a streambed alteration agreement prior to any direct or indirect impacts to a lake or streambed, bank, or channel or associated riparian resources.	3.4.2
A.2	California Department of Transportation	
A.2-1	Explain why the word change from “mitigate” to “minimize” is proposed.	3.13.3
A.3	Santa Barbara County Public Works Department	
A.3-1	Proposed bridge abutments or piers, and the design of the bridge itself, must take into consideration Flood Control District equipment access requirements.	3.4.3
A.4	Santa Barbara County Air Pollution Control District	
A.4-1	Evaluate the impacts that the GP/CLUP revisions will have on air quality, and compare those impacts to APCD thresholds.	3.3.3
A.4-2	Evaluate whether the removal of limitations on larger-scale commercial uses will potentially increase air quality impacts.	3.3.3

**TABLE A.1-1
NOP COMMENT LETTERS—GOLETA GP/CLUP SUPPLEMENTAL EIR**

Comment No.	Commentator / Comment	SEIR Section Where Addressed
A.4-3	Examine the possibility of an increase in motor vehicle emissions resulting from removal of the growth management system.	3.3.3
A.4-4	The proposed elimination of the nonresidential growth management system should be reviewed for consistency with the APCD's 2007 Clean Air Plan.	3.3.3
A.4-5	Evaluate whether the change in wording for Transportation Element Policy 13.4(d) from "mitigate" to "minimize" implies a less-stringent requirement for the application of traffic mitigation.	3.3.3
A.4-6	Evaluate the potential for an increase in construction-related air pollutant emissions, and offer mitigation for those emissions.	3.3.3
A.4-7	Evaluate the potential for an increase in GHG emissions from project construction and operation.	3.3.3
A.4-8	Apply appropriate mitigation measures to reduce short-term and long-term air quality impacts and cumulative impacts.	3.3.3
A.5	Santa Barbara County Executive Office	
A.5-1	Discuss and analyze services that will be provided within the "Future Service Area Boundary."	4.0
A.5-2	Discuss and analyze the land use designations reflected in the County of Santa Barbara's Goleta Community Plan and General Plan Land Use Element.	4.0
A.6	U.S. Department of the Interior, Fish and Wildlife Service	
A.6-1	The USFWS is concerned about the potential effects of GP/CLUP revisions to selected federally listed species.	3.4.3
A.6-2	The USFWS has responsibility for administering the Endangered Species Act, including prohibitions on the taking of any federally listed endangered or threatened species.	3.4.2
A.6-3	The USFWS is unable to determine if the proposed GP/CLUP revisions would substantially affect federally listed or candidate species that occur or could occur in the project area.	3.4.3
A.6-4	Assess impacts to the western snowy plover if a Coastal development Permit is no longer required for selected temporary events held on a sandy beach area.	3.4.3
A.6-5	Evaluate impacts to federally listed species as a result of removing the mandatory protection for ESHAs, and requiring the protection of those ESHAs based upon the findings of site-specific biological studies.	3.4.3
A.6-6	Evaluate impacts to federally listed species as a result of removing the mandatory protection for ESHAs.	3.4.3
A.6-7	Assess the threat to listed species resulting from construction impacts that cannot be mitigated by erosion control.	3.4.3
A.6-8	Assess the threat to California red-legged frog and other riparian species that may result from a decreased streamside protection zone.	3.4.3
A.6-9	The USFWS is concerned that the Track 3 revisions may adversely impact federally listed species, and encourages the City to coordinate with the USFWS to ensure compliance with the ESA.	3.4.3
B.1	League of Women Voters of Santa Barbara, Inc.	
B.1-1	The LWV is concerned that no public scoping hearing was held for the SEIR.	1.5, 2.5
B.1-2	Policy LU 3.2 needs a cumulative impact analysis to address traffic from outside of the City.	3.13.3
B.1-3	Policies LU 11, LU 11.2, and LU 11.3 attempted to control the jobs-housing balance in Goleta. Occasional update of the Goleta GGMO is necessary to consider the amount of new affordable housing that is available.	3.10.3
B.1-4	Re: Policy OS 1.10, a Coastal Development Permit should be required for	3.4.3

**TABLE A.1-1
NOP COMMENT LETTERS—GOLETA GP/CLUP SUPPLEMENTAL EIR**

Comment No.	Commentator / Comment	SEIR Section Where Addressed
	any event in which a private party seeks to take over a public beach access for their exclusive use.	
B.1-5	Re: Policy TE 13.4, the LWV opposes the change in wording from “mitigate” to “minimize.”	3.13.3
B.1-6	Many of the amendments must be completely analyzed by experts in their respective fields.	3.0
B.2	Schwan Brothers Properties, LLC	
B.2-1	Schwan Brothers Properties, LLC supports the proposed revisions to Policy LU 11 and LU-AI-2.	3.10.3
B.2-2	Schwan Brothers Properties, LLC supports the proposed removal of Policies LU 11 and LU-11.1 through LU-11.6, and Implementation Action LU-AI-2.	3.10.3
B.3	Brownstein / Hyatt / Farber / Schreck	
B.3-1	The Conservation Element should recognize the setbacks that have been imposed by other governmental agencies with jurisdiction over properties which are now in the City. The City’s ESHA setbacks should authorize exceptions where, based on site-specific conditions, a setback of lesser size than the “default” setback will provide proper resource protection.	3.4.3
B.3-2	For the Glen Annie Fields property, site-specific setbacks developed in the Central Coast RWQCB Biological Resources Mitigation Plan should continue to apply for the proposed property redevelopment.	3.4.3
B.3-3	Policy CE 1.6 should be modified to allow for the possibility of developing more ESHA on the Glen Annie Fields site as part of the property’s redevelopment.	3.4.3
B.3-4	Attached are suggested revisions to Policies CE 1.6, CE 2.2, and CE 3.5.	3.4.3
B.4	Brownstein / Hyatt / Farber / Schreck	
B.4-1	The City has an existing Storm Water Management Plan which will remain in effect until a new Plan approved by both the City and the Central Coast RWQCB takes its place. A suggested revision to Policy CE 10.3 is proposed.	3.4.3
B.5	Brownstein / Hyatt / Farber / Schreck	
B.5-1	Application of the ESHA setbacks currently contained in the Conservation Element, when combined with required setbacks from roadways and neighboring properties, render reasonable development impossible for Keysite 7A in the Old Town Revitalization Plan. It is understood that the setback standards contained in the Conservation Element were not intended to be applied to properties within the Old Town Subarea.	3.4.3
B.5-2	Attached is a suggested revision to Policy CE 1.6.	2.0
B.6	SyWest Development	
B.6-1	LU-IA-2: If the GGMO is updated, it should be made available for public review.	3.10.3
B.6-2	OS 7.3: Alternative 2a should be considered.	3.4.3
B.6-3	CE Table 4-2: Request copy of table.	3.4.3
B.6-4	CE page 4-2: Alternative 2a should be considered.	3.4.3
B.6-5	CE 1.2: Alternative 2a should be considered.	3.4.3
B.6-6	CE 1.3: Alternative 2a should be considered.	3.4.3
B.6-7	CE 5.1: Alternative 2a should be considered.	3.4.3
B.6-8	CE 8.1: Request copy of Table 4-1.	3.4.3
B.6-9	CE 1.6: Alternative 2a should be considered.	3.4.3
B.6-10	CE 5.3: Alternative 3 should be considered.	3.4.3
B.6-11	CE 8.2: Alternative 3 should be considered.	3.4.3
B.6-12	CE 4.5: Alternative 3 should be considered.	3.4.3
B.6-13	CE 8.4: Alternative 3 should be considered.	3.4.3

**TABLE A.1-1
NOP COMMENT LETTERS—GOLETA GP/CLUP SUPPLEMENTAL EIR**

Comment No.	Commentator / Comment	SEIR Section Where Addressed
B.6-14	CE 1.9: Alternative 2a should be considered.	3.4.3
B.6-15	CE 4.6: Alternative 3 should be considered.	3.4.3
B.6-16	CE 2.2: Alternative 2a should be considered.	3.4.3
B.6-17	CE 3.1: Alternative 2b should be considered.	3.4.3
B.6-18	CE 3.4: Alternative 2a should be considered.	3.4.3
B.6-19	CE 3.5: Alternative 2a should be considered.	3.4.3
B.6-20	CE 9.3: Alternative 3 should be considered.	3.4.3



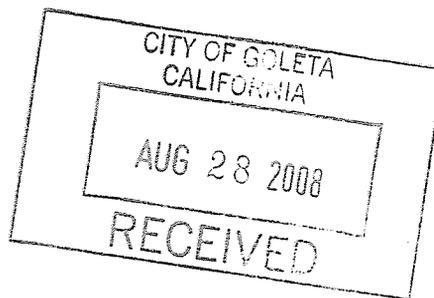
DEPARTMENT OF FISH AND GAME

<http://www.dfg.ca.gov>

South Coast Region
4949 Viewridge Avenue
San Diego, CA 92123
(858) 467-4201

August 26, 2008

Anne Wells
City of Goleta
130 Cremona Drive, Ste. B
Goleta, CA 93117
Fax No.: (805) 685-2635



Subject: Notice of Preparation of a Draft Supplemental Environmental Impact Report for the City of Goleta General Plan/Coastal Land Use Plan Track 3 Amendments, SCH #2005031151

Dear Ms. Wells:

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 revisions to the City of Goleta's adopted General Plan/Coastal Land Use Plan. The proposed revisions include changes to Environmentally Sensitive Habitat Areas (ESHA) definitions, buffers, and development standards.

California Wildlife Action Plan

The California Wildlife Action Plan, a 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) altered fire regimes; and 5) recreational pressures. The Department looks forward to working with the City of Goleta 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:

- | | | |
|---|--|-------|
| <p>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.</p> | | A.1-1 |
| <p style="padding-left: 40px;">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 (attachment).</p> | | A.1-2 |
| <p style="padding-left: 40px;">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.</p> | | A.1-3 |

- | | |
|---|--------|
| 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). | A.1-4 |
| d. The Department's California Natural Diversity Data Base in Sacramento should be contacted at (916) 324-3812 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. | A.1-5 |
| 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.1-6 |
| 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. | A.1-7 |
| b. 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. | A.1-8 |
| c. 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. | A.1-9 |
| d. 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. | A.1-10 |
| e. 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. | A.1-11 |
| 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 | A.1-12 |

- | | |
|--|-------------------------|
| <p>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).</p> | <p>A.1-12
CONT.</p> |
| <p>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.</p> | <p>A.1-13</p> |
| <p>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.</p> | <p>A.1-14</p> |
| <p>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.</p> | <p>A.1-15</p> |
| <p>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.</p> | <p>A.1-16</p> |
| <p>5. A California Endangered Species Act (CESA) Permit must be obtained, if the project has the potential to result in "take" of species of plants or animals listed under CESA, either during construction or over the life of the project. CESA Permits are issued to conserve, protect, enhance, and restore State-listed threatened or endangered species and their habitats. Early consultation is encouraged, as significant modification to the proposed project and mitigation measures may be required in order to obtain a CESA Permit. Revisions to the Fish and Game Code, effective January 1998, require that the Department issue a separate CEQA document for the issuance of a CESA permit unless the project CEQA document addresses all project impacts to listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of a CESA permit (Title 14 §783.3). For these reasons, the following information is requested:</p> | <p>A.1-17</p> |
| <p>a. Biological mitigation monitoring and reporting proposals should be of sufficient detail and resolution to satisfy the requirements for a CESA Permit.</p> | <p>A.1-18</p> |
| <p>b. A Department-approved Mitigation Agreement and Mitigation Plan are required for plants listed as rare under the Native Plant Protection Act.</p> | <p>A.1-19</p> |
| <p>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</p> | <p>A.1-20</p> |

preserve the riparian and aquatic habitat values and maintain their value to on-site and off-site wildlife populations.

A.1-20
CONT.

- a. The Department requires a streambed alteration agreement, pursuant to Section 1600 et seq. of the Fish and Game Code, with the applicant prior to any direct or indirect impact to a lake or stream bed, bank or channel or associated riparian resources. The Department's issuance of a stream bed alteration agreement may be a project that is subject to CEQA. 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.

A.1-21

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,



Edmund J. Pert
Regional Manager
South Coast Region

Attachment

cc: Ms. Helen Birss, Los Alamitos, California
Ms. Betty Courtney, Santa Clarita, California
Mr. Sean Carlson, La Verne, California
Mr. Martin Potter, Ojai, California
Chron File, Department of Fish and Game, San Diego
Mr. Scott Morgan, State Clearinghouse, Sacramento

Guidelines for Assessing the Effects of Proposed Projects on Rare, Threatened, and Endangered Plants and Natural Communities

State of California
THE RESOURCES AGENCY
Department of Fish and Game
December 9, 1983
Revised May 8, 2000

The following recommendations are intended to help those who prepare and review environmental documents determine **when** a botanical survey is needed, **who** should be considered qualified to conduct such surveys, **how** field surveys should be conducted, and **what** information should be contained in the survey report. The Department may recommend that lead agencies not accept the results of surveys that are not conducted according to these guidelines.

1. Botanical surveys are conducted in order to determine the environmental effects of proposed projects on all rare, threatened, and endangered plants and plant communities. Rare, threatened, and endangered plants are not necessarily limited to those species which have been "listed" by state and federal agencies but should include any species that, based on all available data, can be shown to be rare, threatened, and/or endangered under the following definitions:

A species, subspecies, or variety of plant is "endangered" when the prospects of its survival and reproduction are in immediate jeopardy from one or more causes, including loss of habitat, change in habitat, over-exploitation, predation, competition, or disease. A plant is "threatened" when it is likely to become endangered in the foreseeable future in the absence of protection measures. A plant is "rare" when, although not presently threatened with extinction, the species, subspecies, or variety is found in such small numbers throughout its range that it may be endangered if its environment worsens.

Rare natural communities are those communities that are of highly limited distribution. These communities may or may not contain rare, threatened, or endangered species. The most current version of the California Natural Diversity Database's List of California Terrestrial Natural Communities may be used as a guide to the names and status of communities.

2. It is appropriate to conduct a botanical field survey to determine if, or to the extent that, rare, threatened, or endangered plants will be affected by a proposed project when:

- a. Natural vegetation occurs on the site, it is unknown if rare, threatened, or endangered plants or habitats occur on the site, and the project has the potential for direct or indirect effects on vegetation; or
- b. Rare plants have historically been identified on the project site, but adequate information for impact assessment is lacking.

3. Botanical consultants should possess the following qualifications:

- a. Experience conducting floristic field surveys;
- b. Knowledge of plant taxonomy and plant community ecology;
- c. Familiarity with the plants of the area, including rare, threatened, and endangered species;
- d. Familiarity with the appropriate state and federal statutes related to plants and plant collecting; and,
- e. Experience with analyzing impacts of development on native plant species and communities.

4. Field surveys should be conducted in a manner that will locate any rare, threatened, or endangered species that may be present. Specifically, rare, threatened, or endangered plant surveys should be:

- a. Conducted in the field at the proper time of year when rare, threatened, or endangered species are both evident and identifiable. Usually, this is when the plants are flowering.

When rare, threatened, or endangered plants are known to occur in the type(s) of habitat present in the project

area, nearby accessible occurrences of the plants (reference sites) should be observed to determine that the species are identifiable at the time of the survey.

b. Floristic in nature. A floristic survey requires that every plant observed be identified to the extent necessary to determine its rarity and listing status. In addition, a sufficient number of visits spaced throughout the growing season are necessary to accurately determine what plants exist on the site. In order to properly characterize the site and document the completeness of the survey, a complete list of plants observed on the site should be included in every botanical survey report.

c. Conducted in a manner that is consistent with conservation ethics. Collections (voucher specimens) of rare, threatened, or endangered species, or suspected rare, threatened, or endangered species should be made only when such actions would not jeopardize the continued existence of the population and in accordance with applicable state and federal permit requirements. A collecting permit from the Habitat Conservation Planning Branch of DFG is required for collection of state-listed plant species. Voucher specimens should be deposited at recognized public herbaria for future reference. Photography should be used to document plant identification and habitat whenever possible, but especially when the population cannot withstand collection of voucher specimens.

d. Conducted using systematic field techniques in all habitats of the site to ensure a thorough coverage of potential impact areas.

e. Well documented. When a rare, threatened, or endangered plant (or rare plant community) is located, a California Native Species (or Community) Field Survey Form or equivalent written form, accompanied by a copy of the appropriate portion of a 7.5 minute topographic map with the occurrence mapped, should be completed and submitted to the Natural Diversity Database. Locations may be best documented using global positioning systems (GPS) and presented in map and digital forms as these tools become more accessible.

5. Reports of botanical field surveys should be included in or with environmental assessments, negative declarations and mitigated negative declarations, Timber Harvesting Plans (THPs), EIR's, and EIS's, and should contain the following information:

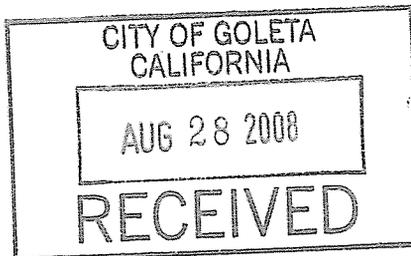
- a. Project description, including a detailed map of the project location and study area.
- b. A written description of biological setting referencing the community nomenclature used and a vegetation map.
- c. Detailed description of survey methodology.
- d. Dates of field surveys and total person-hours spent on field surveys.
- e. Results of field survey including detailed maps and specific location data for each plant population found. Investigators are encouraged to provide GPS data and maps documenting population boundaries.
- f. An assessment of potential impacts. This should include a map showing the distribution of plants in relation to proposed activities.
- g. Discussion of the significance of rare, threatened, or endangered plant populations in the project area considering nearby populations and total species distribution.
- h. Recommended measures to avoid impacts.
- i. A list of all plants observed on the project area. Plants should be identified to the taxonomic level necessary to determine whether or not they are rare, threatened or endangered.
- j. Description of reference site(s) visited and phenological development of rare, threatened, or endangered plant(s).
- k. Copies of all California Native Species Field Survey Forms or Natural Community Field Survey Forms.
- l. Name of field investigator(s).
- m. References cited, persons contacted, herbaria visited, and the location of voucher specimens.

DEPARTMENT OF TRANSPORTATION

50 HIGUERA STREET
 SAN LUIS OBISPO, CA 93401-5415
 PHONE (805) 549-3101
 FAX (805) 549-3329
 TDD (805) 549-3259
<http://www.dot.ca.gov/dist05/>



*Flex your power!
 Be energy efficient!*



August 28, 2008

Ms. Anne Wells
 City of Goleta
 130 Cremona Dr #B
 Goleta, CA 93117

Subject: Goleta General Plan / Coastal Land Use Plan Amendments Track 3

Dear Ms. Wells:

Thank you for the opportunity to review the Notice of Preparation for the subject project. Caltrans staff offers the following comments for use in preparing the Draft Environmental Impact Report:

With regard to the proposed change to Policy TE-13.4 Traffic Mitigation Options. The DEIR should explain clearly why the word change from “mitigate” to “minimize” is proposed. The discussion should include the direct, indirect, and cumulative effects of this change so that the ramifications at long-term and general plan build-out are clearly understood.

The California Environmental Quality Act Guidelines (the Guidelines) section 15370 defines Mitigation. Subsection (b) defines a way to mitigate is to minimize impacts by limiting the degree or magnitude of the action... and subsection (e) allows compensating for the impact by replacing or providing substitute resources or environments. The current wording of TE 13.4 (d) authorizes alternative strategies to mitigate (i.e., compensate) traffic impacts.

Section 15126.4 of the Guidelines discusses mitigation measures that are proposed to minimize significant effects. This section allows for minimization as a measure to mitigate impacts. Or, as the section itself reads, an action that the “lead agency determines could reasonably be expected to reduce adverse impacts...”

With respect to State Highway facilities within the City’s boundaries, it’s not clear at this time what is to be gained by this change.

I hope these comments provide your agency a better understanding of Caltrans’ concerns with respect to this proposed change. If you have questions please contact me at (805) 549.3632.

Sincerely,

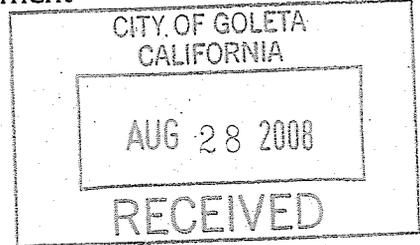
Chris Shaeffer
 Caltrans D5 Development Review

Cc: L. Newland, CT D5

A.2-1



Santa Barbara County Public Works Department
Flood Control & Water Agency



August 22, 2008

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

RE: Notice of Preparation of the City of Goleta General Plan /
Coastal Land Use Plan Track 3 Draft Supplemental EIR

Dear Sir or Madam,

Thank you for the opportunity to review the subject document.

In Alt 2a of the subject material, Section CE 2.5 e. states "*Bridge abutments or piers should be located outside creek beds and banks, where feasible.*"

Please be advised that proposed bridge abutments or piers, and the design of the bridge itself must take into consideration Flood Control District equipment access requirements. This includes providing adequate horizontal and vertical clearance within the creek itself, and maintaining or providing adequate access into the creek.

Sincerely,

SANTA BARBARA COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT

By: 
Nick Bruckbauer
Development Review Engineer

A.3-1

RAR_CityofGoleta_EIR

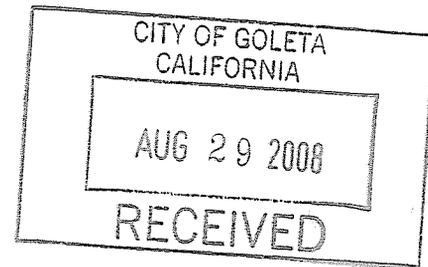


**Santa Barbara County
Air Pollution Control District**

Our Vision  Clean Air

August 27, 2008

Anne Wells, Advance Planning Manager
City of Goleta
130 Cremona Drive, Suite B
Goleta, CA 93117



RE: **Notice of Preparation of the City of Goleta General Plan/Coastal Land Use Plan Track 3 Draft Supplemental EIR**

Dear Ms. Wells:

The Santa Barbara County Air Pollution Control District (APCD) appreciates the opportunity to provide input on the Notice of Preparation of a Supplemental EIR (SEIR) for the above-referenced project. The proposed Track 3 changes to the City of Goleta's General Plan/Coastal Land Use Plan (GP/CLUP) involve revisions to several of the Plan Elements (Land Use, Open Space, Conservation, and Transportation Elements).

Guidance on the scope and content of air quality analysis in environmental documents, in general, is provided on our website at <http://www.sbcapcd.org/apcd/landuse.htm#scope>. The SEIR should evaluate the impacts that the proposed GP/CLUP revisions will have on air quality, and compare those impacts to the significance thresholds listed in APCD's *Scope and Content of Air Quality Sections in Environmental Documents*.

A.4-1

In particular, the following issues should be examined in the SEIR:

1. **Land Use Element 3.2 – Regional Commercial (C-R) [GP]:** The proposed revisions will effectively remove a limitation on the use of new sites for larger-scale ("large box") commercial uses that typically serve a broader population group (as opposed to primarily serving City of Goleta residents). The SEIR should evaluate whether the removal of this limitation may potentially increase air quality impacts due to an increase in regional motor vehicle trips and/or an increase in vehicle miles travelled.
2. **Land Use Element 11 – Nonresidential Growth Management [GP]:** This land use element offers a system whereby nonresidential (e.g., commercial, industrial, office, and other job-generating) growth is limited by the amount of residential growth that occurs within each year. Removing this growth management system introduces the possibility of excessive growth in the nonresidential sector, thereby upsetting the jobs-housing balance and potentially increasing transportation-related air quality emissions (via increases in average daily trips and/or vehicle miles traveled). The SEIR should examine the possibility of an increase in motor vehicle emissions resulting from this revision.

A.4-2

A.4-3

In addition, the proposed elimination of this nonresidential growth management system should be reviewed for consistency with the APCD's 2007 Clean Air Plan. The 2007 Clean Air Plan relies on land use and population projections provided by the Santa Barbara County Association of Governments (SBCAG) as a basis for vehicle emission forecasting.

A.4-4

3. **Transportation Element 13.4 – Options If Traffic Mitigations Are Not Fully Funded [GP]:** The proposed revision involves a change in the wording for item (d.) from “mitigate” to “minimize.” The SEIR should evaluate whether this change in wording implies a less stringent requirement for the application of traffic mitigations, and whether this change in wording would decrease the application of these types of measures, resulting in potential long-term air quality impacts.

A.4-5

4. **Construction Emissions:** The SEIR should evaluate the potential for an increase in construction-related air pollutant emissions, and offer mitigations for any increases in construction emissions.

A.4-6

5. **Greenhouse Gas (GHG) Emissions:** Global climate change is a growing concern and a cumulative impact; a project participates in this potential impact through its incremental contribution combined with the cumulative increase of all other sources of greenhouse gases. A recent guidance document from the State of California Office of Planning and Research (OPR) states that “...GHG emissions and the effects of GHG emissions are appropriate subjects for CEQA analysis. ...Even in the absence of clearly defined thresholds for GHG emissions, the law requires that such emissions from CEQA projects must be disclosed and mitigated to the extent feasible whenever the lead agency determines that the project contributes to a significant, cumulative climate change impact.” (<http://opr.ca.gov/index.php?a=ceqa/index.html>). For all of the proposed revisions to the GP/CLUP, the SEIR should evaluate the potential for an increase in greenhouse gas (GHG) emissions from construction and operation of projects. APCD recommends reducing emissions of greenhouse gases from existing and new construction by incorporating green building technologies; increasing energy efficiency at least 20% beyond Title 24 requirements; encouraging the use of transit, bicycling and walking; and, increased recycling.

A.4-7

In order to minimize the project’s impact on local and regional air quality, all appropriate mitigation measures should be applied to reduce short-term and long-term air quality impacts and cumulative impacts to the maximum extent feasible. Although some mitigation measures cannot be quantified, CEQA requires that all feasible measures be applied to reduce significant impacts.

A.4-8

Please feel free to contact me at 961-8838 (mmp@sbcapcd.org) if you have any questions.

Sincerely,

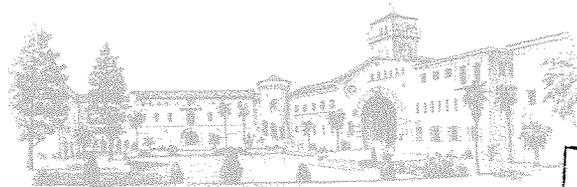


Molly Pearson
Air Quality Specialist
Technology and Environmental Assessment Division

cc: TEA Chron File
Project File

COUNTY OF SANTA BARBARA

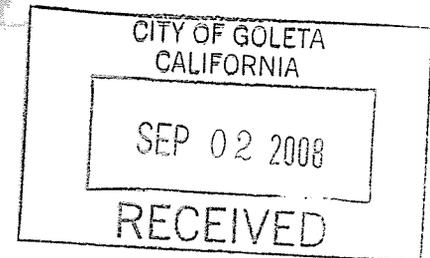
Michael F. Brown
County Executive Officer



EXECUTIVE OFFICE

105 East Anapamu Street, Suite 406
Santa Barbara, California 93101
805/568-3400 • Fax 805/568-3414
www.co.santa-barbara.ca.us

August 28, 2008



Ms. Anne Wells
Advance Planning Manager
City of Goleta
130 Cremona Drive, Suite B
Goleta, CA 93117

FAX: 805-685-2635

RE: Notice of Preparation of the City of Goleta General Plan/Coastal Land Use Plan Track 3 Draft Supplemental EIR

Dear Ms. Wells:

Thank you for the opportunity to comment on the Notice of Preparation of the City of Goleta General Plan/Coastal Land Use Plan Track 3 Draft Supplemental EIR. At this time, the County is submitting one attached letter which detail comments from Public Works. Additional comments for your consideration are provided below:

Figure 1 - Project Vicinity Map

The project vicinity map for the Supplemental EIR contains an unrecognized boundary listed as "Future Service Area Boundary" which encompasses unincorporated County land. It is unclear what services will be included in this boundary. The Supplemental EIR should discuss and analyze all service(s) that will be provided within the future service area boundary, the environmental impacts linked to this service extension, and how this service area boundary is related to the City of Goleta's Sphere of Influence.

A.5-1

Additionally, this future service area boundary is within the County of Santa Barbara's Goleta Community Plan, a subsection of the General Plan Land Use Element. The Supplemental EIR should discuss and analyze the land use designations reflected in the Land Use Element and the Goleta Community Plan, as well as any impacts that may occur as a result of this future service area boundary extension.

A.5-2

The County has no further comments on this project at this time and looks forward to continued dialogue on future projects. If you should have further questions, please do not hesitate to contact my office directly, or David Matson, Deputy Director in the Office of Long Range Planning at (805) 568-2068.

Sincerely,

Terri Nisich
Assistant County Executive Officer

cc: John Baker, Assistant County Executive Officer/Director of Planning & Development
John McInnes, Director, Office of Long Range Planning
David Matson, Deputy Director, Office of Long Range Planning
Derek Johnson, Deputy Director, Office of Long Range Planning

Attachment: Notice of Preparation of the City of Goleta General Plan/Coastal Land Use Plan Track 3

John Baker
Assistant County Executive Officer
jbaker@co.santa-barbara.ca.us

Terri-Maus-Nisich
Assistant County Executive Officer
tmaus@co.santa-barbara.ca.us

Susan Paul
Assistant County Executive Officer
spaul@co.santa-barbara.ca.us

Jason Stilwell
Assistant County Executive Officer
jstil@co.santa-barbara.ca.us



United States Department of the Interior



CITY OF GOLETA
CALIFORNIA

FISH AND WILDLIFE SERVICE
Ventura Fish and Wildlife Office
2493 Portola Road, Suite B
Ventura, California 93003

IN REPLY REFER TO:
2008-FA-0100

SEP 04 2008

RECEIVED

September 3, 2008

Anne Wells, Advance Planning Manager
City of Goleta
130 Cremona Drive, Suite B
Goleta, California 93117

Subject: Scoping Comments on the Supplemental Environmental Impact Report for the City of Goleta General Plan/Coastal Land Use Plan Track 3 revisions, Goleta, Santa Barbara County, California

Dear Ms. Wells:

We are writing in response to the City of Goleta's (City) notice of preparation of a supplemental environmental impact report (SEIR) for Track 3 revisions to the General Plan/Coastal Land Use Plan, pursuant to the California Environmental Quality Act (CEQA). The Track 3 revisions make changes to Regional Commercial Land Use, Nonresident Growth Management, Lateral Shoreline Access, and Environmentally Sensitive Habitat Area (ESHAs) definitions, designations, protection, buffers, and development standards. The SEIR will evaluate up to four alternatives for each proposed revision to the plan, including a no change alternative. We are concerned about the potential effects of the revisions to the following federally listed species that occur or have the potential to occur within the project vicinity: the endangered tidewater goby (*Eucyclogobius newberryi*), California brown pelican (*Pelecanus occidentalis californicus*), least Bell's vireo (*Vireo bellii pusillus*), light-footed clapper rail (*Rallus longirostris levipes*), *Nasturtium* [*Rorippa*] *gambelii* (Gambel's watercress), *Arenaria paludicola* (marsh sandwort), and *Lasthenia conjugens* (Contra Costa goldfields); and the threatened California red-legged frog (*Rana aurora draytonii*), western snowy plover (*Charadrius alexandrinus nivosus*), and listed vernal pool branchiopod species (e.g., the threatened vernal pool fairy shrimp (*Branchinecta lynchi*)).

A.6-1

The U.S. Fish and Wildlife Service's (Service) responsibilities include administering the Endangered Species Act of 1973, as amended (Act), including sections 7, 9, and 10. Section 9 of the Act prohibits the taking of any federally listed endangered or threatened species. Section 3(18) of the Act defines take to mean to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. Service regulations (50 CFR 17.3) define harm to include significant habitat modification or degradation which actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering. Harassment is defined by the Service as an intentional or negligent action that creates the likelihood of injury to wildlife by annoying it to such an extent as to significantly

A.6-2

disrupt normal behavioral patterns which include, but are not limited to, breeding, feeding, or sheltering. The Act provides for civil and criminal penalties for the unlawful taking of listed species. Exemptions to the prohibitions against take may be obtained through coordination with the Service in two ways. If a project is to be funded, authorized, or carried out by a Federal agency and may affect a listed species, the Federal agency must consult with the Service, pursuant to section 7(a)(2) of the Act. If a proposed project does not involve a Federal agency but may result in the take of a listed animal species, the project proponent should apply to the Service for an incidental take permit, pursuant to section 10(a)(1)(B) of the Act.

A.6-2
CONT.

Our assessment of the proposed revisions does not constitute a full review of potential effects to species listed pursuant to the Act. From the information presented in the SEIR, we are unable to determine if the proposed revisions would substantially affect federally listed or candidate species that occur or could occur on the project area. To assist the City in adequately evaluating the proposed revisions from the standpoint of fish and wildlife protection, we offer the following comments and recommendations regarding revisions to ESHAs. Specifically, proposed revisions that concern us are described under the following policy identification numbers: OS 1.10, OS 7.3, CE 4-2, CE 1.2, CE 1.3, CE 1.9, CE 2.2.

A.6-3

OS 1.10. Management of Public Lateral Access Areas

Alternatives 2a, 2b, and 3, propose the deletion of a provision that would require a Coastal Development Permit for any temporary event that would be held on sandy beach area and charges for admission or participation. Because the western snowy plover is present on beaches within the City limits, we are concerned with the potential impacts that temporary beach events may have to this species. Potential impacts to the western snowy plover that should be assessed include increased human traffic, disturbance of dune vegetation, litter deposition, and presence of dogs. We recommend that you evaluate these threats to the western snowy plover that may result if a Coastal Development Permit is no longer required.

A.6-4

OS 7.3. Open Space for Preservation of Natural Resources

Alternatives 2a and 2b propose a change in language that would no longer mandate the protection of ESHAs and instead would require the protection of ESHAs depending on the findings of site-specific biological studies. We are concerned that repealing the mandatory protection of ESHAs may have negative impacts on federally listed species. Biological studies can underestimate the importance of ESHAs to wildlife if conducted incorrectly. The biological studies must be thorough enough to assess the impacts to species that temporarily or permanently reside in and around ESHAs, reside downstream of ESHAs (in the case of riparian areas), or potentially use ESHAs as a movement corridor. These studies must be of an appropriate scope to accommodate the varied frequency, duration, and season that various listed species may occupy the ESHA. We recommend that you evaluate potential impacts to federally listed species as a result of removing the mandatory protection for ESHAs.

A.6-5

CE 4-2 Goleta habitats that are considered to be ESHAs; CE 1.2, Designation of Environmentally Sensitive Habitat Areas; and CE 1.3, Site-Specific Studies and Unmapped ESHAs

A.6-6

Similar to OS 7.3 Open Space for Preservation of Natural Resources, CE 4-2, CE 1.2, and CE 1.3 all include alternatives that modify the existing protections for ESHAs or modify the process for designating new ESHAs. As with OS 7.3, we recommend that you evaluate potential impacts to federally listed species as a result of removing the mandatory protection for ESHAs.

A.6-6
CONT.

CE 1.9. Standards Applicable to Development Projects

Alternatives 2a, 2b, and 3 propose a change in language to subsection i that would repeal the prohibition of grading, earthmoving, and vegetation clearance adjacent to an ESHA during the rainy season (November 1 to March 31) if erosion control measures have been incorporated into the project and are approved by the City. Grading, earthmoving, and vegetation clearance activities may have impacts to species that cannot be mitigated by erosion control measures. For example, California red legged frogs, which have the potential to occur within the City of Goleta, may be actively traveling within and between certain ESHAs during the rainy season and may be directly crushed or otherwise injured by grading and earthmoving activities, and may become vulnerable to predators through vegetation clearance activities. We recommend that you assess the increased threat to listed species resulting from construction impacts that cannot be mitigated by erosion control.

A.6-7

CE 2.2. Streamside Protection Areas

Alternatives 2a and 3 propose decreasing the streamside protection areas surrounding creeks from 100 feet to 50 feet at minimum. The Gaviota coastline, adjacent to the City of Goleta, supports many small coastal drainages where California red-legged frogs reside, and it is reasonable to expect that California red-legged frogs may be present in suitable drainages within the City. California red-legged frogs spend most of their lives in and near sheltered backwaters of ponds, marshes, springs, streams, and reservoirs. Deep pools with dense stands of overhanging willows (*Salix* spp.) and an intermixed fringe of cattails (*Typha* spp.) are considered optimal habitat. Eggs, tadpoles, metamorphs, juveniles, and adults also have been found in ephemeral creeks and drainages and in ponds that do not have riparian vegetation. Some California red-legged frogs have moved long distances over land between water sources during winter rains. Adult California red-legged frogs have been documented to move more than 2 miles in northern Santa Cruz County “without apparent regard to topography, vegetation type, or riparian corridors” (Bulger et al. 2003). We recommend that you assess the increased threat to California red legged frog and other riparian species that may result from a decreased streamside protection zone.

A.6-8

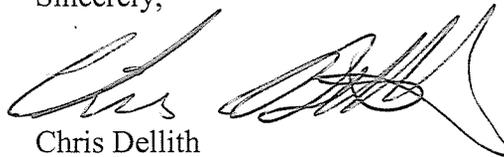
This letter does not reflect a comprehensive review of the SEIR Scoping Document on our part; however, we are concerned that the Track 3 revisions, may have adverse impacts on federally listed species, and recommend that you consider these potential impacts in the SEIR. We also encourage the City to coordinate with us to ensure compliance with the Act.

A.6-9

We appreciate the opportunity to provide comments on the Track 3 revisions and look forward to working with the City in the future to address and minimize the potential impacts on federally

listed species within your jurisdiction. If you have any questions regarding these comments, please contact Jenny Phillips of our staff at (805) 644-1766, extension 325.

Sincerely,

A handwritten signature in black ink, appearing to read 'Chris Dellith', written in a cursive style.

Chris Dellith
Senior Biologist

REFERENCE CITED

Bulger, J.B., N.J. Scott, and R.B. Seymour. 2003. Terrestrial activity and conservation of adult California red-legged frogs (*Rana aurora draytonii*) in coastal forests and grasslands. *Biological Conservation* 110(2003):85-95.



LEAGUE OF WOMEN VOTERS OF SANTA BARBARA, INC.

328 First Carrillo Street, Suite A
Santa Barbara, California 93101

TEL FAX (805)965-2422

email: info@lwvsantabarbara.org
www.lwvsantabarbara.org



Anne Wells, Advance Planning Manager
City of Goleta
130 Cremona Drive, Suite B
Goleta, CA 93117

August 28, 2008

Subject: NOP for Goleta General Plan /Coastal Land Use Plan
Track 3 Draft Supplemental EIR

Dear Mrs Wells,

The Santa Barbara League of Women Voters is concerned that no public scoping hearing has been held for this Supplemental Environmental Impact Report (EIR). Since over 30 amendments to the General Plan are included, and many of them are highly controversial. CEQA would normally recommend that a public hearing be held. All of the nearby jurisdictions hold public scoping hearings for their EIRs. It appears that the City is thinking that much earlier workshops serve as such a hearing, but they were not noticed as such. If the input during those workshops, both written and oral, was being taken into account, many of these amendments would almost certainly not be going forward.

B.1-1

A few of these amendments seem reasonable, and for several, like LU 1A2, CE 1.2 through CE 1.5, CE 8.1 and CE 5.3, we feel that the staff recommended wording may make the changes acceptable. However, there are a number of changes that the League has opposed from the very beginning, and those will have to have intensive environmental review, with particular consideration of the cumulative impacts they will cause. We will list some of them:

LU 3.2 REGIONAL COMMERCIAL.

The original General Plan included a prohibition against more large regional shopping centers. Goleta is a very small city with one large commercial traffic magnet now. The concern has been with how much more traffic another center would generate in some neighborhood. This amendment needs cumulative impact analysis because of its attraction for a large volume of traffic from outside the City. If you are considering the previous public input on this subject, in the written comments 48 people opposed this amendment, and 3 supported it. The oral discussions in the public workshops were similar

B.1-2

League Comments on the Supplemental EIR Page 2

LU 11, LU 11.2, and 11.3 NON-RESIDENTIAL GROWTH MANAGEMENT

The General Plan, through LU 11, attempted to control the jobs/housing balance in Goleta. Because affordable housing is almost non-existent on the entire South Coast, it is critically important to see that too many new jobs do not create a further housing shortage. By continuing to allot a given amount of job growth each year, the City will have taken a reasonable step toward protecting the jobs/housing balance. We note that updating the Goleta Growth Management Ordinance occasionally is necessary, to consider the amount of new affordable housing that is available.

B.1-3

OS 1.10 MANAGEMENT OF PUBLIC LATERAL ACCESS AREAS

The League believes that Coastal Development Permits should be required for any event in which a private party seeks to take over a public beach access for their exclusive use. Although suggested by the Bacara Hotel, this change would impact every beach area in the City. Because there are so few public beaches in Goleta, any effort to have large private parties anywhere on them should require a City permit. In the written comments on the Bacara requests, 73 people strongly opposed them, and only 3 supported them. The California Coastal Commission will almost certainly not allow this amendment.

B.1-4

TE 13.4 OPTIONS IF TRAFFIC MITIGATIONS ARE NOT FULLY FUNDED

The cumulative impacts of added traffic are constantly being evaluated by the City. Traffic should not be allowed to increase sharply. However, if there are to be any traffic impacts from new development, they should be fully paid for by the developer, and not by the taxpayers. In this situation the word "mitigate" has a very clear meaning, while the word "minimize" means nothing. The League opposes this change in wording, and meaning.

B.1-5

Many of these amendments will have major environmental impacts, and must be completely analyzed by experts in their respective fields. Many of the Conservation Element changes fall into that category, and CE 2, 3, 10 and 9.1 will require expert opinion. The League will look forward to studying the Supplemental EIR when it is released to see if all of these amendments have been properly evaluated in the document.

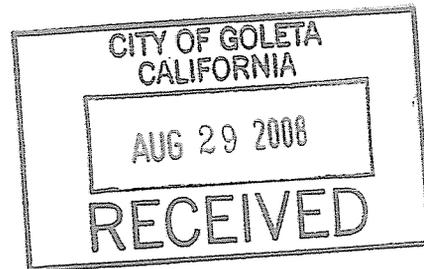
B.1-6

Connie Hannah, First Vice-President

Schwan Brothers Properties, LLC
P.O. Box 6453
Santa Barbara, CA 93160
Phone (805) 683-5116 Fax (805) 683-5118
s.schwanbrothers@verizon.net
Calif. State Lic. 468239-A

August 29, 2998

Anne Wells
 Advance Planning Manager
 City of Goleta
 130 Cremona Drive, Suite B
 Goleta, CA 93117



Re: Proposed revision to Nonresidential Growth Management Policy LU 11 and LU-IA-2

Dear Ms. Wells,

As business and property owners in the City of Goleta, we support the proposed revision to the Nonresidential Growth Management Policy LU 11 and LU-IA-2 as noted in Table NOP-1 of the Track 3 recommendations. We are currently proposing a self-storage facility at 10 South Kellogg Avenue in the General Industrial portion of Old Town and do not believe that industrial building types were properly considered, if at all, when the General Plan was originally written and the Goleta Growth Management Ordinance was enacted.

The policies state in LU 11 to maintain a balance between jobs and housing in the City inaccurately assumes that every non-residential building proposed creates a fixed demand for additional employees based solely on building square footage. That is clearly not the case with a self-storage facility where a large building area is served by very few employees. We support the City initiated changes to Land Use Policy LU11 and LU-IA-2 and believe that at a minimum the GGMO should be amended to be flexible rather than expressing policies in absolute terms that create unintended consequences for building types not adequately considered when the General Plan and Ordinance were drafted. The City Council, commissions, boards and planning staff should have discretion to approve projects like a storage facility that do not create housing impacts.

This project is compatible with the General Plan policies and meets all the goals established in the GGMO, yet as GGMO is currently written this project is not possible. This Project "Insures and appropriate balance between the rate of development of commercial-industrial space and the rate of housing growth in the City." The Schwan self-storage will more than likely operate with only 4 total employees, 2 or 3 employees on during business hours for this facility of roughly 112,000 square feet. Currently at the site there are 9 separate equipment storage and material processing yards that employ many more people and generate more car and truck trips per day than a storage facility would during normal business operations.

The facility would "Reduce future increase in commute trips from residential locations outside the city and county to job locations within Goleta." With the 4 employees, the Schwa self-storage will also be providing and on-site managers apartment that will house one of the employees but more than likely house 2 of the 4 employees.

The proposed facility is located in the Goleta Old Town Redevelopment Area and would be an asset to the area. The project will reduce the jobs to housing imbalance, reduce commute trips from outside the area, and reduce levels of service on roads. This project will also provide landscape improvements along 101

B.2-1

B.2-2

freeway, restore on-site habitat on the creek bank adjacent to San Jose Creek, and provide a 50 foot buffer between the developed areas and the top of creek bank. LU 11.4 expresses the City's desire to encourage redevelopment in Old Town, given the number of exempt Old Town sites listed within the ordinance. The ordinance as it is currently written unfairly restricts redevelopment for those parcels not currently on the list of exempt projects.

Therefore, because General Plan policies and the GGMO rely solely on limiting building area as a solution to any imbalance between jobs and housing in the City, and because the project's square footage does not create or add any imbalance, we fully support the City-initiated changes to remove Policy LU 11 and LU-11.1 through LU-11.6, and further support the City- initiated changes to remove Policy LU-IA-2.

Thank you for your consideration.

Sincerely,

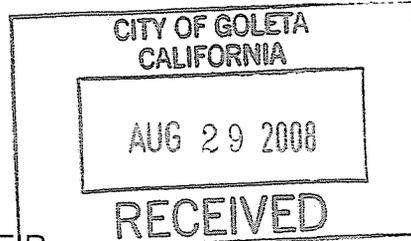
A handwritten signature in black ink that reads "Tom Schwan". The signature is written in a cursive, flowing style.

Tom Schwan

B.2-2
CONT.

August 28, 2008

Ms. Anne Wells
Advance Planning Manager
City of Goleta
130 Cremona Drive, Ste. B
Goleta, CA 93117



Peter N. Brown
805.882.1401 tel
805.965.4333 fax
PBrown@bhfs.com

Re: Track 3 Draft Supplemental EIR
Policies CE 1.6, 2.2 and 3.5

Dear Ms. Wells:

Our office represents KDEF1, LLC, applicant for the Glen Annie Fields project.

As part of its Track 3 general plan amendments, the City has proposed that those areas previously designated as ESHA by governmental entities other than the City of Goleta should continue to be treated as ESHA by the City (CE 1.1). This is a sensible amendment that recognizes the need for coordination among agencies for resource protection. This being the case, we believe that the Conservation Element must also recognize and implement the resource-protective measures taken by those bodies to protect these resources. Specifically, the Conservation Element should recognize the setbacks that have been earlier imposed by other governmental agencies with jurisdiction over properties which are now in the City. Such agencies include the County of Santa Barbara and the California Department of Fish and Game. As a general matter, the City's ESHA setbacks should also authorize exceptions where, based on site-specific conditions, a setback of lesser size than the "default" setback will provide proper resource protection.

B.3-1

The Glen Annie Fields property is an example of a property for which substantial resource-protective measures have already been adopted. As part of the construction of the golf course, the County of Santa Barbara, in conjunction with the California Department of Fish and Game, the Army Corps of Engineers, and the Central Coast Regional Water Quality Control Board approved a comprehensive Biological Resources Mitigation Plan. The BRMP was implemented at a cost of over \$2.5 million and has been monitored regularly since golf course operations began on the property. Habitat protection efforts have been successful, with ESHA area increasing by 32% over what was originally surveyed on the property. Because the BRMP developed site-specific setbacks for the property and because these setbacks have operated successfully, these setbacks should continue to apply for the redevelopment of the property that is proposed under the Glen Annie Fields project.

B.3-2

The applicant would also like to develop more ESHA on the site as part of the property's redevelopment, as was successfully done in development of the golf course. We believe a different setback from the City's default standard will be appropriate for such new ESHA. Accordingly, CE 1.6 should be modified to allow for this possibility, provided that an adequate site-specific study supports use of an alternative standard.

B.3-3

I have attached to this letter our suggested revisions to Policies CE 1.6, 2.2 and 3.5 that would implement these amendments. Thank you for your consideration of this matter.

B.3-4

Very truly yours,



Peter N. Brown

Encl.

cc. John Dewey
Laurel Fisher Perez
Steve Chase
Patty Miller

SB 478956 v1:011627.0001

PROPOSED REVISION TO POLICY CE 1.6

CE 1.6 Protection of EHSAs. [GP/CP]. ESHAs shall be protected against significant disruption of habitat values, and only uses or development dependent on and compatible with maintaining such resources shall be allowed within ESHAs or their buffers. The following shall apply:

- a. No development, except as otherwise allowed by this element, shall be allowed within ESHAs, and/or ESHA buffers.
- b. A setback or buffer separating all permitted development from an adjacent ESHA shall be required and shall have a minimum width as set forth in subsequent policies of this element, except where site-specific analysis indicates that a lesser buffer will provide appropriate protection for the biological productivity of ESHA resources. The purpose of such setbacks shall be to prevent any degradation of the ecological functions provided by the habitat area.
- c. Public accessways and trails are considered resource-dependant uses and may be located within or adjacent to ESHAs. These uses shall be sited to avoid or minimize impacts on the resource to the maximum extent feasible. Measures - such as signage, placement of boardwalks, and limited fencing or other barriers - shall be implemented as necessary to protect ESHAs.
- d. The following uses and development may be allowed in ESHAs or ESHA buffers only where there are no feasible, less environmentally damaging alternatives and will be subject to the requirements for mitigation measures to avoid or lessen impacts to the maximum extent feasible: 1) public road crossings, 2) utility lines, 3) resource restoration and enhancement projects, 4) nature education, 5) biological research, and 6) Public Works projects only where there are no feasible, less environmentally damaging alternatives.
- e. If the provisions herein would result in any legal parcel created prior to the date of this plan being made unusable in its entirety for any purpose allowed by the land use plan, exceptions to the foregoing may be made to allow a reasonable economic use of the parcel. Alternatively, the City may establish a program to allow transfer of development rights for such parcels to receiving parcels that have areas suitable for and are designated on the Land Use Plan map for the appropriate type of use and development.

PROPOSED REVISION TO POLICY CE 2.2

CE 2.2 Streamside Protection Areas. [GP/CP]. A streamside protection area (SPA) is hereby established along both sides of the creeks identified in Figure 4-1. The purpose of the designation shall be to preserve the streamside protection area in a natural state in order to protect the associated riparian habitats and ecosystems. The streamside protection area shall include the creek channel, wetlands and/or riparian vegetation related to the creek hydrology, and an adjacent upland buffer area. The width of the streamside protection area shall be as follows:

- a. Except where site-specific buffers have already been approved by a governmental agency of competent jurisdiction, in areas where land has already been fully subdivided and developed, the SPA shall not be less than 50 feet outward on both sides of the creek, measured from the top of the bank or the outer limit of wetlands and/or riparian vegetation, whichever is greater. Exceptions may be allowed in instances where existing permitted development on a subject parcel encroaches within the 50-foot buffer if: (1) there is no feasible, alternative siting for the development that will avoid the SPA; (2) the new development will not extend into the ESHA, and the resulting buffer will not be less than 25 feet; and (3) the new development will not encroach further into the SPA than the existing development on the parcel.
- b. In all other instances, except where site-specific buffers have already been approved by a governmental agency of competent jurisdiction, the SPA shall not be less than 50 feet outward on both sides of the creek, measured from the top of the vegetation, whichever is greater.
- c. If the provisions above would result in any legal parcel created prior to the date of this plan being made unusable in its entirety for any purpose allowed by the land-use plan, exceptions to the foregoing may be made to allow a reasonable economic use of the parcel, subject to approval of a conditional use permit.

PROPOSED REVISION TO POLICY CE 3.5

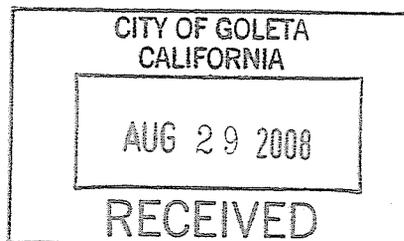
CE 3.5 Protection of Wetlands Outside the Coastal Zone [GP]. The biological productivity and the quality of inland wetlands should be protected and, where feasible, restored. The filling of wetlands outside the Coastal Zone is prohibited unless it can be demonstrated that:

- a. The wetland area is small, isolated, not part of a larger hydrologic system, and generally lacks productive or functional habitat value.
- b. The extent of the fill is the least amount necessary to allow reasonable development of a use allowed by the Land Use Element.
- c. Mitigation measures may be provided to minimize adverse environmental effects, including restoration or enhancement of habitat values of wetlands at another location on the site or at another appropriate offsite location within the City.

A wetland buffer of a sufficient size to ensure the biological integrity and preservation of the wetland should be required. Generally a wetland buffer should be 100 feet, but in no case should a wetland buffer be less than 50 feet, except where site-specific buffers have already been approved by a governmental agency of competent jurisdiction. The buffer area should serve as transitional habitat with native vegetation and should provide physical barriers to human intrusion.

August 28, 2008

Ms. Anne Wells
 Advance Project Manager
 City of Goleta
 130 Cremona Drive, Ste. B
 Goleta, CA 93117



Peter N. Brown

805.882.1401 tel
 805.965.4333 fax
 PBrown@bhfs.com

Re: Track 3 Proposed General Plan Amendments
 Policy CE 10.3

Dear Ms. Wells:

Our office represents The Towbes Group. We have reviewed the staff recommendations for the City's proposed Track 3 Amendments to the General Plan. With particular reference to Policy CE 10.3, we support the intent behind the amendment, which recognizes the City's cooperative efforts with the Central Coast Regional Water Quality Control Board ("CCRWQCB"). However, the City's proposed revision language seems to imply that no Storm Water Management Plan ("SWMP") will be in place in the City until the CCRWQCB approves a new Plan. This is not the case; the City has an existing SWMP, which will remain in effect until a new Plan approved by both the City and the Regional Board takes its place. To clarify this issue, we request that the proposed revision to CE 10.3 be amended to read as follows:

B.4-1

Incorporation of Best Management Practices for Stormwater Management [GP/CP]: New development shall be designed to minimize impacts to water quality from increased runoff volumes and discharges of pollutants from non-point sources to the maximum extent feasible, consistent with the City's Storm Water Management Plan or a subsequent SWMP approved by the City and the CCRWQCB. Post-construction structural BMPs shall be designed to treat, infiltrate, or filter storm water runoff in accordance with applicable standards as required by law. Examples of BMPs include, but are not limited to, the following:

- a. Retention and detention basins;
- b. Vegetated swales;

- c. Infiltration galleries or injection wells;
- d. Use of permeable paving materials;
- e. Mechanical devices such as oil/water separators and filters;
- f. Revegetation of graded or disturbed areas;
- g. Other measures as identified in the City's adopted Storm Water Management Plan.

B.4-1
CONT.

Thank you for your consideration of this matter.

Very truly yours,



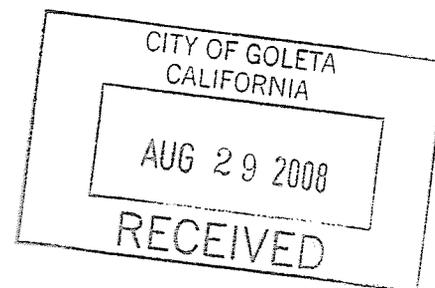
Peter N. Brown

cc. The Towbes Group
Steve Chase
Steve Wagner

SB 478737 v1:005875.0029

August 28, 2008

Ms. Anne Wells
Advance Planning Manager
City of Goleta
130 Cremona Drive, Ste. B
Goleta, CA 93117



Re: Track 3 General Plan Amendments
CE 1.6
Keysite 7A

Dear Ms. Wells:

Our office represents Thornwood Real Estate, LLC, agent of the owner of real property identified as Keysite 7A in the Old Town Revitalization Plan (APNs 071-170-079, 080 and 083).

Last year we brought to the City Council's attention that application of the ESHA setbacks currently contained in the Conservation Element, when combined with required setbacks from roadways and neighboring properties, render reasonable development of this site impossible. The resource at issue on the site is an isolated remnant of Old San Jose Creek, which no longer serves as a floodway since San Jose Creek was realigned along Ward Memorial Drive. This Old San Jose Creek remnant is characterized largely by non-native vegetation and discarded debris, along with some native vegetation. New development on the site would allow restoration of this Creek remnant to create viable habitat, with potentially a bike and pedestrian access way. The property is also an important gateway site for the southern portion of the City, both in its potential to provide employment opportunities and in its potential role in providing needed right of way for the extension of Ekwil Road.

B.5-1

We believe that City staff's position has been that the setback standards contained in the Conservation Element were not intended to be applied to properties within the Old Town Subarea, which is characterized by economic and physical blight, aging infrastructure, and few public amenities. We have the same understanding. Application of more flexible setback standards in the Old Town Subarea will allow both economic revitalization and environmental enhancement, since habitat restoration can be required as mitigation measures.

Accordingly, we have attached to this letter a revision to the proposed amendment to Policy CE 1.6 which we believe accomplishes these goals. We

B.5-2

Ms. Anne Wells
August 28, 2008
Page 2

respectfully request that the City consider this revised language for adoption as part of its Track 3 review process. Please contact me if I can provide additional information.
Thank you.

B.5-2
CONT.

Very truly yours.



Peter N. Brown

Encl.

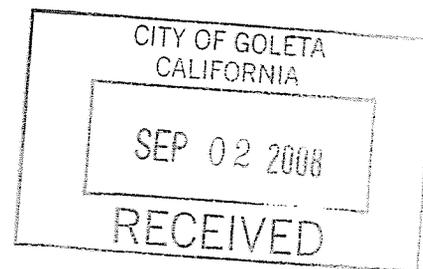
cc. John Lund
Steve Chase
Patty Miller

SB 478878 v1:011433.0001

PROPOSED REVISION TO POLICY CE 1.6

CE 1.6 Protection of EHSAs. [GP/CP]. ESHAs shall be protected against significant disruption of habitat values, and only uses or development dependent on and compatible with maintaining such resources shall be allowed within ESHAs or their buffers. The following shall apply:

- a. No development, except as otherwise allowed by this element, shall be allowed within ESHAs, and/or ESHA buffers.
- b. A setback or buffer separating all permitted development from an adjacent ESHA shall be required and shall have a minimum width as set forth in subsequent policies of this element except as follows: within the Old Town Community Subarea, in recognition of the need for Old Town revitalization and the commonly degraded or discontinuous condition of habitat within the Subarea, setbacks/buffers from adjacent ESHA shall not have a pre-designated width, but shall be determined on a site-by-site basis, not to exceed the setback/buffer standards otherwise set forth in the Conservation Element. The purpose of such setbacks shall be to prevent any degradation of the ecological functions provided by the habitat area.
- c. Public accessways and trails are considered resource-dependant uses and may be located within or adjacent to ESHAs. These uses shall be sited to avoid or minimize impacts on the resource to the maximum extent feasible. Measures - such as signage, placement of boardwalks, and limited fencing or other barriers - shall be implemented as necessary to protect ESHAs.
- d. The following uses and development may be allowed in ESHAs or ESHA buffers only where there are no feasible, less environmentally damaging alternatives and will be subject to the requirements for mitigation measures to avoid or lessen impacts to the maximum extent feasible: 1) public road crossings, 2) utility lines, 3) resource restoration and enhancement projects, 4) nature education, 5) biological research, and 6) Public Works projects only where there are no feasible, less environmentally damaging alternatives.
- e. If the provisions herein would result in any legal parcel created prior to the date of this plan being made unusable in its entirety for any purpose allowed by the land use plan, exceptions to the foregoing may be made to allow a reasonable economic use of the parcel. Alternatively, the City may establish a program to allow transfer of development rights for such parcels to receiving parcels that have areas suitable for and are designated on the Land Use Plan map for the appropriate type of use and development.



August 28, 2008

Ms. Anne Wells
 Advance Planning Manager
 Planning and Environmental Services Department
 City of Goleta
 130 Cremona Drive, Suite B
 Goleta, CA 93117

**RE: NOTICE OF PREPARATION GOLETA GENERAL PLAN TRACK 3 REVISION
 PUBLIC REVIEW COMMENTS**

Dear. Ms. Wells,

SyWest Development has reviewed the public review draft of the Notice of Preparation Goleta General Plan Track 3 Revision Table and we are pleased to submit the following comments. When Alt. 2b and 3 references the same change as noted in Alt. 2a we support Alt. 2a in lieu of Alt. 1.

LU IA-2	Request that should the Growth Management Ordinance be updated, is made available to the public for review and comment prior to adoption and codification with zoning ordinance.	B.6-1
OS 7.3	Request that Alt. 2a be considered to allow sites to act independently from one another through site-specific biological assessments.	B.6-2
CE Table 4-2	Request a copy of the table prior to making formal comment.	B.6-3
CE pg. 4-2	Request Alt. 2a is considered to assure consistency with policy OS 7.3 and CE 1.2 proposed changes. The site-specific study to analyze the nature of environment creates a uniform analysis for all sites.	B.6-4
CE 1.2	Request Alt 2a is considered to assure consistency with policy OS 7.3 and CE pg. 4-2 changes.	B.6-5
CE 1.3	Request Alt. 2a is considered to create consistency with proposed revised policy CE 1.1 definition. Creating additional ordinances creates redundancy and can often create conflict when documents are revised independently of one another.	B.6-6
CE 5.1	Request Alt. 2a be considered to create consistency with proposed changes to policy OS 7.3, CE pg. 4-2 and CE 1.2 request site-specific studies rather than designating blanket ESHA's.	B.6-7
CE 8.1	Request to review a copy of Table 4-1 prior to making formal comment.	B.6-8

CE 1.6	Request Alt.2a to be considered the addition of ESHA buffers and Public Works projects ensures greater protection of ESHA within recognized and approved implementation guidelines and criteria. Creating additional regulating guidelines creates redundancy and can often create conflict when documents are revised independently of one another.	B.6-9
CE 5.3	Request Alt. 3 to be considered the revision to include definition of Coastal Scrub is consistent with current policy. The additional language with reference to CE 1.6 and 1.9 would be more consistent with proposed policy revisions outlined for CE 1.6 and 1.9. Creating additional regulating guidelines creates redundancy and can often create conflict when documents are revised independently of one another.	B.6-10
CE 8.2	Request Alt.3 is considered to maintain consistency with revised policy CE 1.9 and maintain established standards and mitigation measures as outlined in CE 1.7. Creating additional regulating guidelines creates redundancy and can often create conflict when documents are revised independently of one another.	B.6-11
CE 4.5	Request Alt. 3 be considered to maintain consistency with revised policy CE 1.6, 1.8, 1.9 and consistency with site specific analysis as noted in revised policy OS 7.3, CE 1.2 and CE pg. 4-2. Creating additional regulating guidelines creates redundancy and can often create conflict when documents are revised independently of one another.	B.6-12
CE 8.4	Request Alt. 3 is considered to maintain consistency with site specific analysis as noted in revised policy OS 7.3, CE 1.2 and CE pg. 4-2. Creating additional regulating guidelines creates redundancy and can often create conflict when documents are revised independently of one another.	B.6-13
CE 1.9	Request Alt 2a is considered the revision is consistent with established Regional Water Quality Control Board policies which permits such activities with appropriate erosion control measures in place.	B.6-14
CE 4.6	Request Alt. 3 is considered the allowance of Habitat Protection Plan is similar to allowance granted proposed policy CE 1.9. In addition, creating additional regulating guidelines creates redundancy and can often create conflict when documents are revised independently of one another.	B.6-15
CE 2.2	Request Alt.2a be considered as the need to utilize the conditional use permit process as identified in bullet 'c' should be reduced with revision.	B.6-16
CE 3.1	Request Alt. 2b is considered to comply with other regulating agencies existing definitions.	B.6-17
CE 3.4	Request Alt.2a to be consistent to comply with regulating agencies existing permitted uses. Creating additional ordinances creates redundancy and can often create conflict when documents are revised independently of one another.	B.6-18

CE 3.5 Request Alt.2a be considered, the change reflects current policy intent.

B.6-19

CE 9.3 Request Alt.3 is considered to be consistent with existing policy CE-IA-4.

B.6-20

We appreciate the opportunity to further clarify the Notice of Preparation for Goleta General Plan Track 3 update. Please contact us should you have any questions or comments regarding our comments. Thank you in advance for your consideration.

Respectfully,



Robert Atkinson
Senior VP of Development
SyWest Development
415.448.8397
Robert_Atkinson@sywest.com