

8.4 COMMENT LETTER 4: FRANK ARREDONDO, APRIL 4, 2013

Comment Letter 4

Ms. Natasha Heifetz Campbell, Contract Planner *By email to*
ncampbell@cityofgoleta.org
City of Goleta
130 Cremona Drive, Suite B
Goleta, CA 93117

RE: Revised Draft Environmental Impact Report for the Marriott Residence Inn and Hollister Center Project, 12-EIR-0001

Dear Ms. Heifetz Campbell,

I thank you for the opportunity to comment on the above referenced project. My name is Frank Arredondo. I am Chumash/Coastanoan. I am recognized within my community as the Former Director of the Board with the Coastal Band of the Chumash Nation. Currently, I am an active member of the Coastal Band of the Chumash Nation; I am listed on the Most Likely Descendant (MLD) list for the Chumash Territory and the Native American Contact list with the Native American Heritage Commission. Being of Native American descendant, from the Chumash territory, I have a strong vested interest in the project. I am an advocate for the preservation of Cultural Resources within my community. I thank you for taking the time to review my comments. My comments today are of my own.

4-1

I feel it necessary to clarify my comments and how I am able to offer my review of the DEIR. I am not a trained professional archaeologist and therefore I am not granted the authority to "evaluate the significance of a site" as authorized in the Secretary of Interiors Standards for professionals. I never attempt to "evaluate a sites significance" but rather review the data that is used in making the determination of significance. My comments reflect the "vetting" process of CEQA to an area that does not have a "vetting" process afforded to the general public. Because of my heritage and association with the NAHC and being Chumash and a Most likely Descendant I am afforded the ability to review documents that are not made public. Documents about my own culture and history.

My review is based on the facts of the data and the ability to verify these facts in accordance with various State, and Federal laws and regulations and policies that impact Native American Rights. My comments are all my own and any reference to the significance to a site is only an opinion, until such a time I obtain my professional status.

My review covers the Alternatives section, and Cultural resources section. I've included sections from the DEIR and all my comments follow those sections are identified with a Bullet.

- Like this, I object to any lot spit of this location.

Alternatives review

CEQA Guidelines Section 15126.6 provides a framework for the formulation and analysis of alternatives in an EIR. This section states, “[a]n EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project, but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives.”

The range of alternatives required within an EIR is governed by the "rule of reason," which requires an EIR to set forth only those alternatives necessary to permit a reasoned choice. Although there is no rule for the number of alternatives that must be discussed, the EIR must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation.

The analysis of environmental effects of project alternatives need not be as thorough or detailed as the analysis of the project itself. Rather, the CEQA Guidelines state that the EIR shall include "sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project."

4-1
cont.

This is a review of the Impacts of Alternatives compared to the Proposed Project. This was conducted to provide meaningful comparison with the proposed project that provides sufficient information to assist in this rule of reason for comparative merits of the alternatives.

Intro

The “Impacts of Alternatives Compared to the Proposed Project” was reviewed and took a closer look at these sections. Only the Environmental Effects that indicated an increase in “comparison to the project location” were reviewed. They include, Air Quality, Biological Resources, Greenhouse Gas Emissions, Noise, Transportation and Traffic and Agriculture.

The Impact Comparison doesn’t seem to match what is listed in the body of the report. All of the increases in comparison to “Greater” do not appear to be justified and should all be listed as “Similar” in this review. The increases seem to come from Sensitive Receptors as the deciding factor.

4-2

The use of the Sensitive Receptors in the calculation to justify the increase in comparison, does not match what appears to be used with the Proposed Project location. The only factor parameter given is distance from the project. However the calculation for determine the Building Impacts and Area of influence is not given. This calculation is based on the building size; therefore it would seem logical to apply the same distance method to the alternate 2 site assessment. The only measurement is that the first receptor 1,500 feet west of the project, a residential subdivision. This is approximately 0.4572

4-2
cont.

Kilometer. This distance should also be used in comparing all other alternatives. According to the Sensitive Receptor Guidelines the distance should “The grid shall extend at least 1 km from the property boundary. If there are significant impacts near the edge of the grid, the grid must be extended farther.” (Pg.8 of Sensitive Receptor Guidelines)

4-3

Along with the Sensitive Receptors list provided from Santa Barbara County Modeling Guidelines for Health Risk Assessments, (Sensitive Receptors Guidelines)

- Schools
- Daycare facilities
- Hospitals
- Care facilities (adult/elderly)
- Residential or commercial (if not covered by another grid receptor)
- Air intakes on nearby buildings Parks

These Sensitive Receptor list should be used as listed, and without modification.

Impact of Alternatives Compared to the Proposed Project¹

Environmental Effect	Proposed Project	Alt 1: No Project	Alt 2: Page Property /Key Site 6	Alt 3:Project Redesign /Environmentally Superior Alternative	Comparison Review results
Aesthetics and Visual Resources	II	NA / Less	II / Less	II / Less	
Air Quality	III	NA / Less	III / Greater	III / Similar	III/Similar
Biological Resources	II	NA / Less	II / Greater	II / Similar	II/Similar
Cultural Resources (project impacts)	I	NA / Less	III / Less	I / Less	
Cultural Resources (cumulative impacts)	I	NA / Less	III / Less	I / Less	
Geology and Soils	II	NA / Less	II / Similar	II / Similar	
Greenhouse Gas Emissions	III	NA / Less	III / Greater	III / Similar	III/Similar
Hazards and Hazardous Materials	II	NA / Less	II / Less	II / Similar	
Hydrology and Water Quality	II	NA / Less	II / Less	II / Similar	
Land Use and Planning	II	NA / Less	II / Less	II / Less	
Noise	III	NA / Less	III / Greater	III / Similar	III/Similar
Public Services	II	NA / Less	II / Similar	II / Similar	
Transportation and Traffic	II	NA / Less	II / Greater	II / Similar	II/Greater
Utilities and Service Systems	II	NA / Less	II / Similar	II / Similar	
Agricultural Resources	NA	NA	I / Greater	NA	

¹ **Impact Comparison:**

The first symbol identifies the impact classification (e.g., NA = Not Applicable, Class I = significant and unavoidable, Class II = potentially significant, but mitigable to less than significant, Class III = adverse, but less than significant).

Next, there is a comparison to the project even if the classification is the same (e.g., both the proposed project and the alternative result in a Class II impact, but the alternative has "Less," "Similar," or "More" of an impact compared to the proposed project).

Summary

- 4-4 **Air Quality, Greenhouse Gas Emissions, Noise** all were increased based on the calculation of Sensitive Receptors and listed as “III / Greater” on Table 6-1. The increase appears to be based on one criteria, Sensitive Receptors. However, I propose that the Baseline of Sensitive Receptors at the Proposed Project is faulty and therefore the calculation of Impacts to Sensitive Receptors at the Alternates is also Faulty. The conclusions in the assessment of the Alternate 2 are not justified. Nowhere in the report does it give any explanation as to why there is an increase to “greater” In the end they both are “Similar” and there can be no justification for an increase to “Greater”.
- 4-5 With regards to **Biological Resources**, it is listed as “II / Greater” on Table 6-1. The DEIR states “Alternative 2 is expected to result in similar biological impacts as those identified in Section 4.3, “Biology,” for the proposed project. Similar to the proposed project, impacts are expected to be mitigable to less-than-significant levels with implementation of the mitigation measures identified in Section 4.3.” and concludes with; “Therefore, biological impacts of Alternative 2 would be similar to or greater than those identified under the proposed project.” Yet there is no justification or explanation for this modification to “Greater”.
- 4-6 **Transportation and Traffic** is listed as ~~is listed as~~ “II / Greater” on Table 6-1. This section is based on the extension of the Ekwel-Fowler Street. Only Short term impacts are associated with this section during construction, yet if the Ekwel-Fowler Street is completed beforehand the impacts are reduced. This criterion for increase to “Greater” is possibly the only criteria that have any merit.
- 4-7 **Agricultural resources**, the Alt 2 site is listed as “I / Greater” on Table 6-1. Based on review of the FEIR General Plan it states: The City of Goleta currently contains 408.8 acres of agricultural land within its city limits. The Alt 2 Page Site is 12.2 acres or less than 2% of agricultural farmland that is “not classified as Important Farmland.” Even though the site itself is not categorized as Important, the conversion of agricultural land resulting from build out under the GP/CLUP would represent a significant and unavoidable (Class I) contribution to cumulative impacts on agricultural resources.
- It should be also stated that Agricultural Resources are not considered to non-renewable resources. New dedications to Agriculture can always be made, leaving a path for reduction of impacts.
- The Table 6-1 list impacts to Agriculture to be I/Greater for the Alternate 2 location, and does offer a greater impact than the proposed project location mostly because the proposed location has no agriculture to compare too. But it is believed that with mitigation measures set forth in the General Plan FEIR it could be reduced to either adverse or potentially significant. Dedication of new Agricultural lands, open space, or proposed policy Specifically, Policy subsection CE 11.3, subsection CE 11.4, Policy subsection CE 11.8.

Detailed review of Environmental Effect sections.

4.2 AIR QUALITY

4.2.1 Existing Setting

4.2.1.1 Sensitive Receptors

Proposed Project Location

Sensitive members of the population include those who may be more negatively affected by poor air quality than other members of the population, such as children, the elderly, or the infirmed. In general, residential areas, hospitals, daycare facilities, elder-care facilities, elementary schools, and parks typically contain a high concentration of these sensitive population groups.

4-8

- Within the vicinity of the project area, a residential subdivision is located approximately 1,500 feet to the west.(Distance is calculated by taking the distance along Hollister from the corner of the project property and to the corner of the residential subdivision corner on Hollister) In addition, Highway 101 is located approximately 1,750 feet to the north.(measurement is taken from the northern corner of the proposed project on Robin hill rd and the end of the project property to the US 101.)
- The project location is in proximity to a school that provides childbirth and professional training. It is located 1450ft away.
- A company park 300ft north of the NW corner of the proposed development.
- Theses sensitive receptors were not included in the assessment of impacts. Rather inclusion of Highway 101 is included but not listed as part of the modeling guidelines listed below.

4-9

- The distance used to calculate the area of study seems to be general and not in accordance with the Guidelines. The area of study is based on Building Impacts and Area of influence, which is not provided. The calculation is based on the building size, with that said it also means that the area of influence would be different if the two locations, Proposed Project and Alter2 had different designs, which is suggested that Alt 2 has a larger building area and the building height could be kept to two stories and allow for greater occupancy. The Proposed Project location building height would be larger and therefor the area of Influence should be greater. Either way each location would have different distance calculations.

4-10

- At this point it can only be assumed to use the same distance method for both locations.
- The only measurement is that the first receptor 1,500 feet west of the project, a residential subdivision. This is approximately 0.4572 Kilometer. This distance

4-10
cont.

should also be used in comparing all other alternatives. But this might not be in line with the Sensitive Receptor Guidelines.

- According to the Sensitive Receptor Guidelines the distance should “The grid shall extend at least 1 km from the property boundary. If there are significant impacts near the edge of the grid, the grid must be extended farther.” (pg8 of Sensitive Receptor Guidelines)
- When it comes to the criteria for what Sensitive Receptors should be assessed there is a modification or change in what is in the guidelines and what is listed in the DEIR.

4-11

According to the Modeling Guidelines for Health Risk Assessments August 2012 Form -15i, The document explains the requirements for performing health risk assessments for the Santa Barbara County Air Pollution Control District (District). Under the section 2.8 it covers Sensitive Receptors: www.sbcapcd.org/eng/dl/appforms/apcd-15i.doc (see Sensitive Receptors guidelines.doc)

2.8 Receptors

Receptor selection is critical to capturing the point of maximum impact. The proper placement of receptors can be achieved through several approaches as discussed below.

The receptor network must provide adequate coverage to capture the maximum pollutant concentration. The receptor network should include a Cartesian grid, property boundary receptors, and any sensitive receptors in the area. Polar coordinates may also be used to ensure that maximum concentrations are obtained. (Polar coordinates may be added via sensitive receptors in HARP, but at this time require a separate utility to generate the polar grid.) Tall stacks could require grids extending 1 to 3 km while the point of maximum impact from shorter stacks (10 - 20 m) may be obtained using grids extending 1 km or less from the property line. The flagpole height should be set to 1.5 meters for all receptors.

2.8.1 Sensitive Receptors

All sensitive receptors within 1 km of the proposed site, unless otherwise determined by the District, should be included in any modeling runs. A sensitive offsite receptor is defined as the following:

- Schools
- Daycare facilities
- Hospitals
- Care facilities (adult/elderly)
- Residential or commercial (if not covered by another grid receptor)
- Air intakes on nearby buildings
- Parks

2.8.2 Onsite Receptors

In special situations, there will be sensitive receptors within the facility boundary. For example, if a boarding school would like to install a diesel generator and a risk assessment is required, the onsite dorms must be considered in the risk assessment. Other cases like this include schools, daycare facilities, hospitals and care facilities (adult/elderly). In these situations, the building in which people sleep (e.g., dorms) or spend the majority of their day (e.g., day care building) must be included as a receptor.

- The definition of a Sensitive Receptor is clearly listed and does not include a specific category as “Elementary School”, where as the description is more general and not as specific and the use of just “schools”. This allows for the

4-11
cont.

inclusion of any type of school to be added to the Sensitivity Receptor. Located within 1500 ft of the proposed project is a school. This increases the Sensitivity impacts for Short term Impacts at the proposed project location and makes the impacts similar to the Alternative proposed project location.

6.2.2 Alternative 2: Page Property/Key Site 6 (Alternative Location)

Is listed as "III / Greater" on Table 6-1

Alternative 2

6.2.2.2 Air Quality

Project short-term and operational air quality impacts at the project site are discussed in Section 4.2, "Air Quality," and are considered less than significant. Unlike the proposed project site, sensitive receptors on parcels in proximity to the Alternative 2 site would be exposed to construction emissions during the construction period. Long-term air quality impacts associated with Alternative 2 would be similar to the proposed project. Therefore, Alternative 2 would result in greater short-term air quality impacts compared to the proposed project.

4-12

- The distance from the North East corner of the Alternative Location following the S. Kellogg Rd and Highway 217 to the US 101 is approximately 1,615 ft.
- The distance from the SE corner of the Alternate location property line along the 217 to the NW corner of the nearest residential property is 1,479 ft.
- The Sensitive Receptors are approximately the same based on the project conclusions. The project comparison chart should reflect **III/Similar** like it does with the Alternate Redesign listing. Unless some other comparable receptor is identified that would modify the Alternate listing the increase in "Greater" is not justified based on what is provided in this DEIR.

4.6 GREENHOUSE GAS EMISSIONS

Is listed as “III / Greater” on Table 6-1

Proposed Project Location

For purposes of this project, the City determines that BAAQMD’s GHG significance threshold has a strong regulatory and technical underpinning. It is based on substantial data and is intended as a regulatory threshold. In addition, the climatic regime in the Goleta-Santa Barbara area that governs energy demand for space heating and cooling is also very comparable to that occurring in the BAAQMD. Further, in June 2010, the Santa Barbara County Planning and Development Department produced a memorandum “Support for Use of Bay Area Air Quality Management District Greenhouse Gas Emissions Standards,” providing evidentiary support for reliance on the proposed BAAQMD standards as interim thresholds of significance in Santa Barbara County (SBCPD 2010). The memorandum notes that certain counties in the Bay Area are similar to Santa Barbara County in terms of population growth, land use patterns, general plan policies, and average commute patterns and times for the Marriott Residence Inn and Hollister Center Project, the City has applied the following two thresholds of significance to the project.³ Would the project:

1. Exceed the daily significance threshold adopted by the Bay Area Air Quality Management District, i.e., of 1,100 MT CO₂e/yr, for operational GHG emissions and/or result in significant GHG emissions based on a qualitative analysis.
2. Employ reasonable and feasible means to minimize GHG emissions from a qualitative standpoint, in a manner that is consistent with the goals and objectives of AB 32 (i.e., a reduction in GHG emissions of 20% for state-owned buildings by 2015).

4-13

4.6.3.2 Project Specific Impacts

Construction-related emissions would be generated from heavy-duty construction equipment and on-road vehicle exhaust emissions. Operational emissions would be generated from worker and hotel guest vehicle trips to and from the project. Area source GHG emissions are a result of natural gas consumption associated with space and water heating and the usage of landscape maintenance equipment. Additionally, the project would consume electricity and potable water, both of which generate GHG emissions associated with electricity production used to transport the water. GHG emissions associated with construction and operation of the project would predominantly be in the form of CO₂, and are presented in the form of CO₂e.

The analysis above demonstrates that the cumulative GHG emissions reductions resulting from implementation of Title 24 (2008), CALGreen (2010), and the City of Goleta Local Building Energy Efficiency Standards (Reach Code) would result in a significant reduction in energy use (and hence GHG emissions) over the 2005 BAU baseline percent (see Table 4.6-6). The total expected GHG emissions reductions over this baseline are approximately 26%. This GHG reduction is consistent with the AB 32 goals established in 2006, of 20% for state-owned buildings (by 2015). **Therefore, the project operational emissions are also considered less than significant when judged on a qualitative basis.**

4.6.4 Cumulative Impacts

The analysis of a project’s greenhouse gas emissions is calibrated to ensure that the project level impacts are not “cumulatively considerable.” Therefore, the determination of no project level impact necessarily means that there is not significant contribution to a cumulative impact on account of the project. See Section 4.6.3.

Mitigation Measure GHG-1a. Implement BAAQMD Best Management Practices for Construction

Reduce greenhouse gas emissions by incorporating the following measures into project

4-13
cont.

construction:

- a. Use alternative-fueled (e.g., biodiesel, electric) construction vehicles/equipment for at least 15% of the fleet;
- b. Use at least 10% local building materials (from within 100 miles of the project site);
- b. c.** Recycle at least 50% of construction waste or demolition materials.

Alternative 2

6.2.2.6 Greenhouse Gas Emissions

Greenhouse gas emissions at the project site are discussed in Section 4.6, "Greenhouse Gas Emissions," and are considered less than significant. Greenhouse gas emissions associated with Alternative 2 would be similar to the proposed project.

- The rating for Greenhouse Gas Emissions is listed as "**III / Greater**" with no explanation as to why it is "Greater". The description above states it would be "Similar" to the proposed project. This should be listed as "**III/Similar**"

SECTION 4.10**NOISE**

Is listed as "III / Greater" on Table 6-1

Proposed Project Location***Impact NOI-1. Noise Standards***

The southern portion of the project site lies within the 60-65 dBA CNEL noise contour of the City Existing noise levels are at or below the 65 dBA CNEL threshold for the outdoor area of the hotel, and it is expected that noise levels in the hotel's interior courtyard would be the same or less once the structure is completed, as the building would likely result in attenuation of noise levels from vehicular traffic on Hollister Avenue and from noise associated with trains to the north. Standard construction design is normally assumed to reduce interior noise levels by 20 dBA resulting in assumed interior noise levels of no greater than 45 dBA CNEL. **Therefore, the project would not result in significant noise impacts from exposure of guests to excessive noise levels at the hotel.**

Impact NOI-2. Airport Issues

There are no private airports or airstrips in the vicinity of the project site. Therefore, impacts associated with private airports/airstrips are not anticipated as a result of this project. As indicated in Figure 4.10-4, the Hollister Center building, in the eastern portion of the property, is located within the Runway 15-33 Clear Zone for the airport and adjacent to the Runway 15-33 Approach Zone. The hotel portion of the property (which would include sensitive receptors for noise) is located just outside of the Airport Approach and Clear Zones as defined by the Santa Barbara County Airport Land

Use Plan. **Therefore, the site is exposed to intermittent noise from nearby aircraft overflights.**

Impact NOI-3. Change in Ambient Noise Levels

The closest structure across Robin Hill Road from the new courtyard area is over 350 feet away and is setback from the Robin Hill Road by a parking lot. Noise levels from the outdoor courtyard are not expected to be noticeable in this adjacent building. **Therefore, the additional traffic and hotel operations are not expected to result in significant changes to ambient noise levels in the project area**

Impact NOI-4. Construction Noise/Groundborne Vibration and Noise Levels

short-term construction noise, including groundborne vibration/noise, would be potentially annoying to workers in nearby buildings. However, given the surrounding commercial, industrial, and airport uses, there are no existing noise sensitive receptors in proximity to the project site. **Therefore, impacts are considered adverse but less than significant.**

4.10.4 Cumulative Impacts

Based on Figures 4.10-3 and 4.10-4 (General Plan Figures 9-3 and 9-4), cumulative noise levels on the project site are expected to be less than 65 dBA. With the exception of short-term construction noise (in an area without existing sensitive receptors), the project when considered with other nearby cumulative projects is not expected to result in noticeable changes to ambient noise levels in the project area. **Therefore, cumulative noise impacts are considered less than significant.**

4-14

4.10.6 Residual Impacts

Mitigation measures are not required to ensure project specific and cumulative noise impacts would be less than significant

Alternative 2

6.2.2.10 Noise

Project short-term and operational noise impacts at the project site are discussed in Section 4.10, "Noise," and are considered less than significant. Unlike the proposed project location, sensitive receptors on parcels in proximity to the Alternative 2 site would be exposed to significant noise levels during the construction period. Similar to the proposed project, the Alternative 2 property would not be exposed to significant noise levels from ambient noise levels generated by vehicles on nearby roadways or train noise to the north. With regard to long-term noise impacts, future guests/employees would be exposed to less-than-significant nuisance noise from aircraft overflights. Therefore, Alternative 2 would result in greater short-term noise impacts compared to the proposed project.

4-14
cont.

- This increase in impacts to Greater is based on Sensitive Receptors criteria which are not justified.
- As stated previously the utilization of Sensitive receptors is lacking clarity and not in accordance to the actual guidelines. The proximity used for the Proposed project and the Alternative location must be the same. You cannot arbitrarily create fictitious Sensitive receptors to make an impact more significant. In order for this to be true a list of sensitive receptors needs to be provided along with the proximity that is used. Or utilize the Sensitivity receptors guidelines and create a area grid that reflects the building density and area of influence independent of each building structure. This listing should be "III/Similar"

Biological resources

Is listed as "II / Greater" on Table 6-1

Proposed Project Location

Impact BIO-1. Plant/Animal Species and/or Natural Communities

According to the Goleta GP/CLUP Conservation Element, including Figure 4-1, there are no sensitive biological resources on site that would be subject to protective policies

The project would not result in significant impacts to onsite biological resources or to sensitive plant or animal species or habitats which are otherwise associated with the project site.

Impact BIO-2. Wildlife Movement/Migration

The project site does not serve as an important wildlife corridor nor is it associated with an important stop-over location for migratory birds. The project would not have a significant effect on the movement of native resident or migratory fish or wildlife species with established native resident or migratory wildlife corridors, nor would project implementation impede or significantly impact the use of native wildlife nursery sites.

Impact BIO-3. Wetlands

Project Site-The site itself does not contain wetlands, stream channels, or other surface water bodies.

Project development would not involve vegetation clearing or other alterations to stream channels, nor dredging, filling, or similar direct disturbance to waters of the United States. Therefore, impacts related to such activities on the project site are considered less than significant.

Goleta Slough- the project is not a residential development, it is not associated with an increase in domestic pets that could impact native bird populations in the slough. Therefore, impacts from increased pets on bird populations would be less than significant.

landscape plan indicates that the project plantings do not include highly invasive species which would adversely impact the Goleta Slough.

The development of Parcel 2, would create Runoff from large parking areas is often contaminated with a mix of petroleum products and other pollutants resulting from vehicular use. tail-water from landscape irrigation.

The project design incorporates the use of vegetated bioswales and a vegetated detention basin to pre-treat surface flows from parking areas as well as to reduce peak stormwater flows. the project could result in significant impacts to the Goleta Slough ecosystem from increased sedimentation and degraded water quality from site runoff.

Construction activities, can result in the introduction of significant levels of pollutants into neighboring surface water bodies, a potentially significant impact to water quality in the Goleta Slough.

Therefore, short-term and long-term biological impacts to the Goleta Slough, associated with site stormwater conveyance to the slough and potentially degraded water quality, are considered potentially significant.

4.3.4 Cumulative Impacts

Without mitigation the project would result in a potentially significant contribution to water quality degradation and the resulting effects on wetlands associated with the Goleta Slough.

- With implementation of these mitigation measures, residual project specific and cumulative impacts on biological resources are considered less than significant. Yet the grading chart indicates that it is a Class II = potentially significant, but mitigable to less than significant.

4-15

4-15
cont.

Alternative 2

6.2.2.3 Biology

The Alternative 2 project site is bounded on the north by Old San Jose Creek. This riparian area has been subject to degradation due to historic realignment as well as a high level of adjacent urban development. **Alternative 2 is expected to result in similar biological impacts as those identified in Section 4.3, "Biology," for the proposed project.** Impacts would, however, be focused on Old San Jose Creek instead of the Goleta Slough. Potentially significant impacts are associated with erosion and sedimentation during site preparation activities¹ and long-term impacts on wildlife movement along this wildlife corridor, and from an increase in impervious surfaces, which would reduce natural bio-filtration of stormwater runoff from the site and that which may be laden with oil, grease, and other pollutants. Similar to the proposed project, impacts are expected to be mitigable to less-than-significant levels with implementation of the mitigation measures identified in Section 4.3 as well as additional mitigation requiring protective fencing along the creek corridor during grading and construction activities (unless the Ekwill extension is already under construction or completed).

Therefore, biological impacts of Alternative 2 would be similar to or greater than those identified under the proposed project.

- It is unclear how this alternative is greater? "Similar to the proposed project, impacts are expected to be mitigable to less-than-significant levels with implementation of the mitigation measures identified in Section 4.3" if the alternative is similar to the proposed project how are the impacts Greater at the alternative? This is not clear. Listing should be **II/Similar**

**SECTION 4.12
TRANSPORTATION AND TRAFFIC**
Is listed as “II / Greater” on Table 6-1

Proposed Project Location

4.12 TRANSPORTATION AND TRAFFIC

This transportation and traffic section is based on the AllianceJB October 5, 2011, traffic study, which is provided in Appendix P. The traffic analysis follows the City of Goleta’s traffic study criteria and has been peer reviewed and accepted by the City’s Community Services Department.

4.12.6 Residual Impacts

With implementation of mitigation measures MM TRA-3a, MM TRA-4a, MM TRA-5a, MM TRA-6a, and MM TRA-7a, significant project-specific impacts would be reduced to less-than significant levels. Implementation of mitigation measures MM TRA-1a and MM TRA-7b would further reduce less-than-significant impacts.

4-16

Alternative 2

6.2.2.12 Transportation and Traffic

As discussed in Section 4.12, “Transportation and Traffic,” new vehicle trips associated with the proposed project would result in potentially significant short-term construction period traffic. Feasible mitigation to reduce such traffic safety impacts to less-than-significant levels is also identified in Section 4.12. Alternative 2 is expected to result in similar construction period traffic safety impacts. Although vehicle trips may be slightly lower for Alternative 2 due to the site’s location within easy walking distance of some restaurants and the commercial corridor, project traffic is expected to result in potentially significant impacts on the Hollister Avenue/Kellogg Way, Hollister Avenue/Fairview Avenue, and Hollister Avenue/Highway 217 ramp intersections, based on existing LOS at these intersections (as identified in the Ekwill-Fowler Draft EIR, Tables 2-4 and 2-5 included in Appendix P1). The future extension of Ekwill Street near the southern boundary of the property is designed to improve overall circulation in the Alternative 2 project area and would reduce the project’s impacts on area intersections. **Therefore, traffic impacts associated with Alternative 2 would be similar to, or greater than, the traffic impacts associated with the proposed project**

- This impact is based on the extension of the Ekwill-fowler street. This impact can be listed as “Greater” but only as short term impact for the duration of construction.

AGRICULTURAL RESOURCES

Proposed Project Location

The proposed Project location has no agricultural resources to be impacted.

Alternative 2

6.2.2.14 Other Environmental Impacts

Agricultural Resources

Alternative 2 would convert the existing agricultural field to urban development. Conversion of this agricultural land to development was identified as an unavoidable adverse impact in the GOTRP EIR. The proposed project would not convert agricultural land to urban development. Therefore, **Alternative 2 would result in greater impacts on agricultural resources than the proposed project.**

FEIR General Plan

4-17

3.2.1.3 City of Goleta

The City of Goleta currently contains 408.8 acres of agricultural land within its city limits.

Figure 3.2-2 of the General Plan FEIR identifies important farmland types in the City. The McPage Enterprises (Site 9) is listed as not an Important Farmland and is listed as "Other Features - Existing Agriculture Sites". It is classified as Farmland Classifications: D – Developed/Urban and Built-Up Land. The Soil Types: EaA Elder Sandy Loam (0-2% slopes) - Class II

McPage Enterprises (Site 9)

This 12.2-acre site is located in the southeastern portion of the City of Goleta. The parcel is flat and consists of active agriculture uses. The parcel is bordered to the northwest by a small tributary to the San Jose Creek that supports southern willow scrub habitat. Surrounding land uses also include fallow agriculture to the west and development to the northeast, south and southwest. The site is not classified as Important Farmland, but contains prime agricultural soils.

The City of Goleta currently contains 408.8 acres of agricultural land within its city limits. McPAGE IS 12.2 = 2% OF agricultural farmland that is not classified as Important Farmland.

The agricultural land within the City includes
 67.5 acres of Prime Farmland,
 0 acres of Farmland of Statewide Importance,
 42.5 acres of Unique Farmland,
 163.8 acres of Farmland of Local Importance, and
 101.1 acres that have not been designated

Total = 374.9

4-17
cont.**3.2.3.4 Project Impacts**

The GP/CLUP was analyzed with respect to policies that would directly affect agricultural resources as well as other resource policies that may indirectly affect agricultural resources. If GP/CLUP policies do not adequately reduce an impact, new mitigation measures are identified.

Class I Impacts**Short-Term Impacts**

There are no short-term significant and unavoidable (Class I) Impacts involving agricultural resources resulting from GP/CLUP implementation.

Long-Term Impacts**Impact 3.2-1. Conversion of Agricultural Land and Loss or Impairment of Agricultural Productivity**

Buildout under the GP/CLUP of proposed sites for **new residential development and other uses such as commercial and recreation** would result in the conversion of 55.7 acres of agricultural land and the loss of a large amount of agricultural productivity, resulting in 353.3 acres of remaining agricultural land in the City (Table 3.2-3).

Of the agricultural land that would not be converted, only 11.6 acres (Fairview Gardens) are permanently preserved. This conversion of agricultural land would constitute a significant impact by permanently eliminating these lands from agricultural production.

Buildout under the GP/CLUP would result in the conversion of approximately 6.5 acres of Prime Farmland and approximately 22 acres of Unique Farmland according to the California Department of Conservation Farmland Mapping and Monitoring Program. The proposed project would also result in the conversion of approximately 6 acres of Class I Soils and approximately 37 acres of Class II Soils. Buildout under the Plan would not result in the conversion of any Williamson Act Contract Lands or other agricultural preserve areas.

Class II Impacts**Short-Term Impacts**

There are no short-term potentially significant but mitigable (Class II) Impacts involving agricultural resources resulting from GP/CLUP implementation.

Long-Term Impacts**Impact 3.2-2. Incompatible Land Uses and Structures****3.2.3.5 Cumulative Impacts****Impact 3.2-4 Cumulative Loss of Agricultural Land**

The GP/CLUP would result in the conversion of Prime Farmland and other valuable agricultural lands to **nonagricultural use**. Many of the other areas where the cumulative projects are located also contain prime farmland, prime soils, and are zoned and/or designated for agricultural uses.

Viable agricultural land is becoming scarcer in California, and the South Coast is one of the most important regions economically and physically for agricultural production in the

4-17
cont.

State. The competing growth pressures in the region have led to rapid conversion of agricultural lands in the City, County, and throughout the South Coast.

The conversion of approximately 29 acres of important farmland that are currently in active agricultural production represents a significant impact. When combined with other cumulative development projects, the effects are exacerbated. Therefore, the conversion of agricultural land resulting from buildout under the GP/CLUP would represent a significant and unavoidable (Class I) contribution to cumulative impacts on agricultural resources.

- It should be also stated that Agricultural Resources are not considered to non-renewable resources.
- New dedications to Agriculture can always be made, leaving a path for reduction of impacts.

This page left blank

SECTION 4.4

CULTURAL RESOURCES

4.4 CULTURAL RESOURCES-

4.4-1

4-18 This analysis is based primarily on the Cultural Resources Management Services (CRMS) *Site History and Archaeological Assessment of CA-SBA-58 with Mitigation Strategies to Address Potential Impacts Resulting from the Construction of the Marriott Residence Inn at 6300 Hollister Avenue, Goleta, California, CRMS SB-58*, T. Hannahs and N. Farrell (January 25, 2011). Other studies used in this analysis include the Dudek and Associates (Dudek) *Supplemental Extended Phase 1 Archaeological Investigation, CA-SBA-58, Marriott Residence Inn, 6300 Hollister Avenue, City of Goleta, California*, (July 2008) and MacFarlane Archaeological Consultant's *Peer Review for Supplemental Extended Phase 1*, (October 2008), Dudek *Extended Phase I Archaeological Investigation, Proposed Sidewalk Improvement South La Patera Lane* (April 2012) and MacFarlane Archaeological Consultant's *Peer Review for Extended Phase I Archaeological Investigation* (May 11, 2012) and Dudek *Marriott Residences Project, Cultural Resources Supplemental Impact Assessment Data* (November 19, 2012).

- The description of the analysis does not contain any reference to the participation of the Chumash community. It is because the input from the Native American Chumash community was not part of the analysis process. This supports that “consultation” has never taken place and is not part of the analysis process.

4-19

- The whole of the analysis is based primarily on the Cultural Resources Management Services (CRMS) site history and Archaeological Assessment of CA-SBA-58. This report was conducted with no consultation or collaboration with the Native American community. (see March15&16_2010.pdf)

4-20

- The meeting of August 2010 notices states “a meeting to discuss the draft report prepared by Cultural Resources Management Services (CRMS)” & “All interested parties are encouraged to attend and to discuss their comments and/or concerns regarding cultural resources and the CRMS report” No reference in the notice that includes “Native American” or “consultation” (see Aug_4_2010.pdf)

4.4.1.3 Project Site

4.4-2

4-21 The subject property is located within this area of prehistoric and historic occupation, which included numerous village sites bordering the Goleta Slough. It includes 10.71 acres situated north of Hollister Avenue and is bounded by La Patera Lane on the east and Robin Hill Road on the west. The property is part of an archaeological site identified as CA-SBA-58, which is only a small remnant of its original size. Approximately 17% of the original archaeological site remains and the project site overlaps with a portion of this remainder.

CA-SBA-58 was first documented by David Banks Rogers in the 1920s, although he noted that portions of the site may have been previously excavated (Rogers 1929). He described it as one of the largest prehistoric sites in the vicinity of the slough. At that time the site was approximately 366 meters (1,200 feet) long and 91 meters (300 feet) wide, and approximately 1.2 meters (4 feet) deep.

- The calculation of 17% is faulty and based on calculations that are incomplete and false. The Site location was recorded by Rodgers in 1929 and estimated to be 300 X 1200 feet. This calculation is what is used to estimate the 17% approximate site remains. However this calculation can only be true if the site is shaped in a rectangular shape and the actual boundaries have been systematically defined through subsurface excavations. The site itself covers several parcels and those

- 4-21
cont. parcels have been developed over time with no excavation explorations to determine the exact locations of the boundary edges.
- 4-22
- In addition to misrepresentation of site size, the actual shape of the site as recorded by Rodgers is shaped in a “L” shape, more of a elongated in one portion than the other. Comprised of three elements, the top, the bottom, and the body. The top portion of the “L” shape could be assumed to be the 300X1200 portion of the site but the lower portion of the “L” shape is not included in the sites calculations. The lower “L” portion of the site is approximately 200 X 700 or 140,000s.f. The body/vertex of the “L” shape is where the proposed development is to take place. This body/vertex section has a protrusion that extends beyond the parameters of the 300 X 1200 rectangular calculations. The body/vertex has been systematically explored and found to encompass nearly all of the proposed project site property location. Its approximate size can be calculated within the parcel boundaries.
- 4-23
- Furthermore the projects calculations of impacts to cultural resources is in great question. When the original project was presented in March 2008, the onsite impacts were stated to be 38%. After the Native American community presented opposition to the project the project impacts were reduced to a 1% impact. After further review of past documents it is clear that the calculations were modified to present a lower impact percentage. There was a structural change by the applicant to relocate the front portion of the building 15 rooms to the back of the parcel in attempt to reduce impact, but after the *Extended Phase 1 Archaeological Investigation* was completed in June 2008 by DUDEK, it revealed that the relocation of the building portion to the back of the parcel was trade off in impacts because the portion of the parcel also had Intact loci material. This calculation did not include volume measurements because the calculations were leaner. The actual change came from impact calculations that used the factors of Impacts on the proposed property against the overall site projection. The first calculation of 38% was based on the site material on the projects parcel measured against the amount of site material on the project parcel. The change to 1% is based on the calculation of impacts on the project parcel against the possible Site overall size, which the boundaries are, only estimates over several parcels. By comparing impacts to impacts on the projects parcel to overall estimated size over several parcels would give the impression of reduction of impacts. Therefore misleading the reader of the potential impacts.
- 4-24
- What we do know is that the parcel is 3.81 acres or 165,963.6 square feet, or 15,418.5m². As currently defined the only known extensive area of intact midden is within the bounds of the currently proposed project as currently defined is 60,900 square feet, or 5,658m² in extent, or only 36.69 or 37% of the project parcel contains intact midden.
 - The building portion is 21,796.9 square feet, or 2,025m², and equals 35.79% or 36% of percent of impact to intact midden on the parcel.

4-24
cont.

- Access to the parking lot amounts to 39105.3 square feet, or 3,633m², 64.21 or 61%
- The correct calculations are: 37% of the parcel contains intact midden, 97% of that intact midden within the boundary of the project parcel will be impacted by this project. 36% of the intact portion is impacted by the building footprint and 61% by the proposed parking lot.

4.4-6

In 2008, the portion of the archaeological site that would potentially be impacted by hotel development was revisited by Dudek, as part of a Supplemental Extended Phase 1 Archaeological Investigation. This work was intended to add to the information collected during the 1979 Phase 2 investigation conducted by SPRI. A total of twenty STPs, fifteen 2-inch (5-centimeter) diameter cores and six backhoe trenches were excavated. The intact midden was discovered to be substantially greater than the 1979 study had indicated (Dudek 2008). As the footprint of the originally proposed development changed in response to various concerns, an additional fourteen 2 inch (5 centimeter) cores were excavated, which demonstrated that intact midden soils exist outside the previously defined archaeological site boundaries. It appears that significant amounts of intact midden soils are present in this area within 8 inches of the surface.

4-25

- The portion of the site that would potentially be impacted by hotel development was revisited by DUDEK at the bequest of the Native American Community members from the “Meet and Confer” meetings between June and August of 2008. The conclusion of the meetings was that the site proposed boundaries based off a thirty year old survey report was inadequate and new excavations were needed to define the site boundaries.

“The intact midden was discovered to be substantially greater than the 1979 study had indicated (Dudek 2008).”

- This was exactly what the Native Community argued for in the “Meet and confer” meetings and sighted at the public hearings. Dudek did not agree to this theory at the time of the proposal but from the direction of the planning commission further studies were conducted.

Native American Community Consultation**4.4-6**

- The mandate to be consistent with essential considerations of national policy that applies to public and private lands regards to cultural resources provide the necessary regulatory framework which local agencies derive direction from.

During processing of the original Marriott Residence Inn and Hollister Center Project in 2007–2008, a “meet and confer” process was conducted between staff, the applicant, and interested members of the Chumash Native American community. Four meet and confer discussions were held (May 5, 2008; May 19, 2008; June 18, 2008; and August 6, 2008).

- The meetings were held at the request made from the Native community. The main request was that additional studies needed to be conducted before any further consultation steps were to take place. The Supplemental Extended Phase 1 Archaeological Investigation was carried out in order to meet the interest of the Native community as well as for the sake of CEQA process of identification of potential Impacts and specifically to define the site boundaries.
- The last “meet and confer” meetings were the last time any substantive meetings had ever taken place. The Supplemental Extended Phase 1 Archaeological Investigation was completed and later the CRMS review and additional field work carried out. No consultation request from the City of Goleta has been made to any members of the Native American community.

4-25
cont.

4.4-6

The City informed the local Native American community when additional borings were performed on the project site on April 26, 2010 and May 28, 2010. In addition, notification was provided regarding a consultation with CRMS to discuss draft findings following their review of previous cultural resources reports as well as field work related to the project site. The consultation was held at the City of Goleta office on August 12, 2010. The Native American Contact List provided with the Native American Heritage Commission’s (NAHC) NOP comment letter, was used to notify interested members of the Chumash Native American community of the above field work and consultation. Frank Arredondo was the only Native American in attendance at the August 12, 2010, meeting. At the meeting, CRMS archaeologists presented their draft report, followed by comment and discussion.

The City of Goleta contracted with Nancy Farrel and Todd Hannahs of Cultural Resources Management Services (CRMS), City of Goleta scheduled a noticed meeting with local interested Native Americans to discuss the initial conclusions of CRMS’s archaeological review, on August 12, 2010, at 10:00 am at Goleta City Hall, Council Chambers. The report was provided via email on August 5th, 2010 at 11:45am. The report is approximately 70 pages long and only a draft report. Included in this report is Exhibit F, Native American Contacts for reference to consultation. A letter request is also included on page 63 to the NAHC, December 2009, states it request to “include a list of names , and addresses, of Native American individuals and organizations who may have knowledge of cultural resources in the project area; or who may have a concern or wish to comment on the project.” A letter from CRMS was sent to the listed contacts in January 2010. I received my copy on January 20th. I replied to that request for comment on Monday March 15, 2010 and asked for an update and asked to be included as an “Interested Native American Party” The next communication was from City of Goleta staff advising that no communication or contact would be allowed with CRMS. On

4-25
cont.

March 16th Staff sent an email to me asking that “the archaeological consultants not to reply directly to applicant or public information requests regarding ongoing work for the Marriott project.” My reply was “But how are you to prepare a cultural resource environmental impact report without Native American input during the process? Significant Impacts can be determined by Native American input. If you wait till after the report is done then the comments made by Native Americans are not taken into consideration with the same weight. Significant Impacts are identified by quantitative sources; Native American input during the EIR phase is part of that process, not after the fact.” (see March15&16_2010.pdf)

- The main issue is the assumption that any “consultation” with the Native Americans has taken place solely based on a notation in a report. All that has ever transpired is notification of reports. The City has confused "contact" with required "consultation."
- The meeting held in Aug 2010 was not consultation. What the City of Goleta has done is carried out “Scoping Meetings”. Under the Direction of CEQA, 21083.9 (b) Scoping Meetings. “The lead agency shall provide notice of at least one scoping meeting held to all the following: (4) Any Organization or individual who has filed a written request for the notice, as well as (c) & (d) of the same section. The actions of the meeting are clearly defined as a “review of the reports” and

“At the meeting, CRMS archaeologists presented their draft report, followed by comment and discussion”

- This meeting was not what “consultation” is about.
- When it comes to “consultation”, the City of Goleta does not have any policies that outline how “consultation” is defined. The City of Goleta does not maintain any policies that address dealing with what constitutes consultation and the steps to achieving it. The only policies the City of Goleta has are the Cultural Resources Guidelines that direct the initiation of “consultation”. But because the City of Goleta does not have any policies that define what “consultation” is , it has no way of validating that it is able to carry out the process of “consultation” and it cannot be assured that it has completed the process. What is left is the faulty assumption of what “consultation” might look like. With each party having very different versions of what might make up “consultation”.
- In order for the City of Goleta to be consistent with State and Federal Mandates that are essential to National policy it must carry out the observance of procedure required by law even if it does not have any local policies to carry out the task. The logical step would to utilize the NAHC consultation guidelines as provided in addendum. Until then, there can be no claim that “consultation” has ever taken place. Sending notices out that do not define the specific purpose such as to “consult” or recognize participants as “Native American” do not afford them the legal protection granted by State and Federal Laws. This is a disservice to the National policies. Government agencies are not free to glide over requirements imposed by Congressionally-approved statues and duly adopted regulations. The

4-25
cont.

confusion over “contact” and “consult” seems to be a major problem with the City of Goleta and knowing the difference between the two.

- It is hopeful that “consultation” will be initiated and that the basis of decision, relationship to tribal concerns, and a process for tribes to challenge the draft plan prior to its final approval is provided in accordance to the NAHC consultation guidelines.

Without any local government policies to provide direction local agencies should take direction from the State and Federal governments examples listed in the appendix (see... State and Federal Consultation policies)

4.4.3.2 Project Impacts**4.4-10****Impact CUL-1. Historic Resources**

There are no historic resources such as buildings or other structures on the project site. Therefore, there would be no potential for the project to result in any impacts on historic resources.

- This is incorrect. The site location is defined as the location where the City gets its namesake from. “The parcel of land that has been set out for the consideration by the applicant is intimately associated with the history of the Goleta region. The property maybe said to be within an area of great historical importance. Recorded in 1542 by Cabrillo, later in 1769 the Portola-Serra expedition visits the site. Frayer Crispi records the name “The Good Land” in his journals. He further describes how his solders made camp at this location named Saspili. The site was active till 1796 and abandoned by 1805.” (P.Snethcamp, Burrows Proj. EIR) At this time this claim made by Snethcamp has never been challenged. Therefore in accordance with City practice that if there is no comment it must be true.
- The City has failed to make the determination if a Historical resource is present in accordance with CEQA Section 21084.1. The Site location meets criteria 1 & 2 of the California Register criteria for designation. See excerpt below along with criteria that City needs to meet.
- Substantial evidence is defined in Public Resources Code Section 21080(e) as including "facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts. This evidence has been presented by a trained professional in the Barrows EIR, Pandora Snethcamp.
- Located in the preface of the City of Goleta General plan the term “The Good Land” is referenced back to the Portola Expedition. (Frontmatter.pdf)

4-26

The area now occupied by Goleta was first described as “[The Good Land](#)” by the diarist Fr. Juan Crespi, a member of the Portola expedition, in 1769 (Walker A. Tompkins, [Goleta: The Good Land](#), 1966). This occurred as members of the expedition first set sight upon the rich soils, verdant vegetation, and harmonious climate of the narrow coastal plain between the Santa Ynez Mountains and the Pacific Ocean. This scenic coastal plain has been transformed in many ways since the time of the Portola expedition. Although it now encompasses the suburban city of Goleta and its 30,000 residents, as well as other nearby communities, it still retains extensive tracts of natural open space and agriculture as well as broad scenic vistas of mountains and sea. Today this rare and exceptionally beautiful setting continues to foster a degree of serenity that inspires in Goleta’s inhabitants a connection with the natural environment and with their community. Goletans treasure [the Good Land](#) as a special place to live, work, and enjoy life. Although the community of Goleta had its post-European beginnings more than 150 years ago, the City of Goleta itself is a newcomer to [The Good Land](#).

- In the Introduction and Overview of the General Plan chapter 1, the term “the good land is used four times in this 14 page document. It is used specifically for the City of Goleta’s Vision. A basic search of the City of Goleta web site pulls numerous references to the use of the “The Good land”. With so many intertwined uses it is clear that the term is significantly important to the historical value of the City of Goleta.(1.0 Introduction and Overview.pdf)
- The Contents of General Plan include the use of “The Good Land”(Contents of General Plan.pdf)

- The City of Goleta is required to prove beyond a "the preponderance of evidence" demonstrates the site historical relevance is not significant. Clearly the use of the name is part of what makes Goleta the City that it is if it is to be found as a major part of its General plan.

Excerpts from the CEQA & California Register

CEQA applies to discretionary projects and equates a substantial adverse change in the significance of a historical resource with a significant effect on the environment (Section 21084.1). Further, the Act explicitly prohibits the use of a categorical exemption within the *CEQA Guidelines* for projects which may cause such a change (Section 21084). "Substantial adverse change" is defined as demolition, destruction, relocation, or alteration activities which would impair historical significance (Section 5020.1).

This effectively requires preparation of a mitigated Negative Declaration or an EIR whenever a project may adversely impact historic resources. Current CEQA law provides that an EIR must be prepared whenever it can be fairly argued, on the basis of substantial evidence in the administrative record, that a project may have a significant effect on a historical resource (*Guidelines* Section 15064).

4-26
cont.

Key Questions

This presents the Lead Agency with two key questions which it must address in sequence. First, does a significant historical resource exist? Absent a historical resource, the agency may proceed as usual and, depending upon the circumstances, may be able to apply a CEQA exemption to the project. Second, where a significant historical resource does exist, will the proposed project result in a substantial adverse change such that the qualities that make the resource significant are impaired or lost? This question should be answered through preparation of an initial study for the project.

Is a Historical Resource Present?

Section 21084.1 is by turns both specific and vague in distinguishing the range of resources which may be considered historic. First, any resource listed in, or eligible for listing in, the California Register of Historical Resources is presumed to be historically or culturally significant. This includes listed archaeological resources (for example, California Landmark Number 838, The Indian Village of Tsurai). The Lead Agency's first step should be to consult the applicable Historical Resources File System Information Center to ascertain whether the resource is listed in the California Register.

Second, resources which are listed in a local historic register or deemed significant in a historical resource survey as provided under Section 5024.1(g) are to be presumed historically or culturally significant unless "the preponderance of evidence" demonstrates they are not. The next step is to consult the pertinent existing local register and survey.

4-26
cont.

Because a local register or survey may not employ the same criteria as the California Register, listing or identification in a local survey does not necessarily establish if the property is eligible for listing on the Register. The Lead Agency will need to evaluate the resource in light of the Register's listing criteria (these will be included in guidelines expected to be released by SHPO in June 1994). The Lead Agency may determine that the preponderance of evidence demonstrates that the property in question is not historically or culturally significant despite being listed on a local register or identified in a local historic survey. When making this determination, OPR strongly recommends that the agency cite for the record the specific, concrete evidence which supports that determination.

Third, a resource that is not listed in, or determined to be eligible for listing in, the California Register of Historic Resources, not included in a local register of historic resources, or not deemed significant in a historical resource survey may nonetheless be historically significant, pursuant to Section 21084.1. This provision is intended to give the Lead Agency discretion to determine that a resource of historic significance exists where none had been identified before and to apply the requirements of Section 21084.1 to properties that have not previously been formally recognized as historic. As the last step, the local agency should employ recognized criteria to determine whether a previously unrecognized significant historical resource exists.

As always under CEQA, the lead agency must determine whether there is "substantial evidence" in the administrative record to support a finding of significant effect. Substantial evidence is defined in Public Resources Code Section 21080(e) as including "facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts." Unsubstantiated claims of historical significance do not require preparation of an EIR (*Citizen's Committee to Save Our Village v. City of Claremont* (1995) 37 Cal.App.4th 1157 p; no substantial evidence existed that a landscape garden planned in 1905 was ever installed or maintained). The current California Register, listing guidelines provided by State Historical Resources Commission.

The State Historical Resources Commission has designed this program for use by state and local agencies, private groups and citizens to identify, evaluate, register and protect California's historical resources. The Register is the authoritative guide to the state's significant historical and archeological resources.

The California Register program encourages public recognition and protection of resources of architectural, historical, archeological and cultural significance, identifies historical resources for state and local planning purposes, determines eligibility for state historic preservation grant funding and affords certain protections under the California Environmental Quality Act.

4-26
cont.**Criteria for Designation**

- Associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States (Criterion 1).
 - Associated with the lives of persons important to local, California or national history (Criterion 2).
 - Embodies the distinctive characteristics of a type, period, region or method of construction or represents the work of a master or possesses high artistic values (Criterion 3).
 - Has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California or the nation (Criterion 4). (Ceqa & CalRegister.doc)
-
- When it comes to following the steps and stages of making the determination of a Historic resource the EIR has failed in completing this task. **This is a significant Impact.**

Impact CUL-3. Archaeological Resources

4.4-12

Parcel 1/Parcel 2 Hollister Avenue Frontage Improvements and Hollister Avenue Median Improvements.

4-27

b. Electrical Conduit. Electrical conduit would be located underground just back of the Hollister Avenue curb and gutter. The maximum width of the trench would be 12 inches, over a linear distance of 870 feet. The excavation would reach a maximum depth of 50 inches along the hotel frontage. These excavations would be entirely located within existing and new fill soils.

- The depth of the intact soil and fill soil that will be used in this area equals approximately 50 inches based on overall summary. Yet there will be grubbing of top soil surface that ranges from 8 inches to 4 inches (which is an inconsistency in this report) this grubbing and grading doesn't seem to be included in the calculation. If you place three feet of fill soil then assume there is a buffer of 18 inches of top soil that equals 50 inches. But if you first remove 8 inches from the 18 inch of top soil, then add three feet you end up with 40 inches of fill soil. If only 4 inches of top soil is removed you will end up with 44 inches of fill soil. The installation of the electrical conduit to a depth of 50 inches will impact the potentially intact midden which this presumes to miss from 6-10 inches of impact.

c. Fire Hydrant. A fire hydrant would be installed on Hollister Avenue at the new entrance to the hotel. The maximum width of the trench would be 12 inches, over a linear distance of 10 feet. The maximum depth of excavation would be 48 inches. These excavations would be entirely located within new fill soils.

- The same reply is applied to this as above with the electrical conduit. Approximately 4 inches to 8 inches of impact.

Parcel 2: Hotel and Associated Improvements

4.4-13

4-28

a. Grading and Construction. "The current grading/construction plans have been crafted to minimize the potential for direct impacts on CA-SBA-58. Project implementation includes removal of the upper 18 inches (46 centimeters [cm]) of soil that would be limited to those areas outside of the building envelope and outside the plotted archaeological site boundaries, including the parking lot."

- The CRMS report states that "It appears that significant amounts of intact midden soils are present in the southeast portion of the parcel at XXXXXXXX of the surface (see Exhibit D)." (See CRMS, Exhibit D, bore #1, #9, #11) **The removal of the upper 18 inches of soil will cause a direct impact, and this is a significant impact.**

"...Ground disturbance in the area beneath the building envelope as well as the entire area within the plotted archaeological site boundaries would be limited to grubbing and clearing of vegetation, organics, and existing paving. The soil that is removed would be replaced and mechanically compacted. This method will keep the majority of excavation to 8 inches or less."

4-28
cont.

Slab Foundation: **4.4-14**

"...The sequence for implementation includes clearing and grubbing to remove vegetation and loose soils to a 4-inch depth."

- It is unclear why there would be a difference in depth. 4 inches, 8 inches, what type of soil disturbance that is taking place beneath the building envelope that is so different? It should be clear and consistent as not to have confusing measurements.

4-29

d. Potential for Disturbance of Human Remains. **4.4-15**

"Re-deposited soils from CASBA-58 cover much of the property. The area of re-deposited CA-SBA-58 midden is considerably larger than the mapped portion of the intact midden soils."

- The two statement comes directly from the CRMS report. It appears to have no basis in fact.
 1. Re-deposited soils from SBA-58 cover much of the property....but so does Intact midden deposits as well. In some areas the studies found re-deposit midden and directly below intact midden. Other areas the opposite was so.
 2. Re-deposited Midden is larger... The extent of intact midden resides below the re-deposited midden, so therefore as for linear comparisons go, all we know is that the top portion of the site has been "shuffled around, but below the surface we find intact midden. Because no vertical explorations have been conducted to determine the depth or volume of intact and re-deposited midden there can be no comparison or claim that there is a "considerably larger" component , spatially speaking there are about the same and to make that claim without any scientific data to support it is false and misleading. At this point only "presence or absence investigations have taken place with in the last two studies and there is no data that can positively suggested there is more intact midden as opposed to re-deposited.
- What is correct is that the extent of intact midden is far larger than what the 1979 study indicated.

4-30

e. Loss of future access. **4.4-15**

The parking lot portion of the archaeological site amounts to approximately 40,000 square feet (3,630 square meters).

- The parking lot is approximately 3633 square meters. Theses numbers have been rounded up in square feet then rounded down in square meters.

4.4-16

On the South Coast of Santa Barbara County, there are two examples of projects that involve capping of archaeological sites and constructing buildings over the sites. In the City of Goleta, a 9,000 square foot, two-story project was approved in 2011_ at 151 South Fairview Avenue.

- 4-31
- I worked on this project independently with the property owner and his design team. I wrote a letter of support for this work because the applicant had made modifications to the building designs that allowed for thirty feet offset of the building off the intact portion of the site. In the past previous soil testing wells had been used and the solution was to place the caissons in the well locations so not to disturb the intact portion of the site further. Along with an L shaped support bracket designed by the engineers, and elimination of a staircase on the northern portion of the building, they were able to push back the remaining caissons to the border of the intact midden. So in the end the caissons were placed strategically on the outside borders of already disturbed intact midden locations. This site was not “capped” it was left intact by project re-design for avoidance and has a proposed Native garden to be placed in its location. This is not an example that should be used for this type of project.
 - The second example is the Duca Residence and Remodel on Padaro Road between Summerland and Carpinteria. I also worked on this site directly. The report has caught part of the story here. Specifically what should be focused on is that “Excavations undertaken for the most recent rebuild project occurred in 17 proposed caisson locations.” That statement is a key factor to that project being approved. During Native American consultation meetings with the developer Duca and SB County Staff and Director it was concluded that in order to install any caissons, the locations of the 17 proposed pile locations had to be hand excavated prior to any permit approval well in advance of any work. If human remains were found, the pile location must be re-designed/engineered to be placed in an alternate location. If all 17 pile locations did not expose any human remains then the caissons would be permitted. So they pre-dug the pile locations by hand. The pile locations were on the slope of a hillside where it was known that the top of the bluff had been pushed over the edge prior to the first construction of the home. As for scientific value there was no provenance but it maintained cultural and heritage values and it was suspected that several disarticulated human remains would be found. The property owner Duca supported all request made by the Native American community and worked to meet our concerns without question. This was not a very good example to use to compare the use of capping a site. There was no real capping taking place on this project but strategic avoidance.

4.4-17

4-32

The current grading plan allows the soils engineer to determine the required depth for trenches at his discretion. Many of the project details have been designed to avoid cultural resources, including limitations on trenching depths. If the soils engineer were to have the discretion to change the required depth for trenches, this may result in significant impacts to cultural resources.

- **This is a significant impact and needs to be addressed.**

4.4.4 Cumulative Impacts

Impact CUL-4. Archaeological Resources

4.4-17

Agriculture and development have also impacted the integrity of this archaeological deposit, which is currently only 17% of the original site.

4-33

- The calculation of 17% is incorrect as stated previously in this comment letter.
- The correct calculations are: 37% of the parcel contains intact midden, 97% of that intact midden within the boundary of the project parcel will be impacted by this project. 36% of the intact portion is impacted by the building footprint and 61% by the proposed parking lot.

4.4.5 Mitigation Measures

4.4-18

MM CUL-3a. Phase 3 Archaeological Data Recovery Program

The permittee will fund a City-approved archaeologist to conduct a pre-project implementation Phase 3 Archaeological Data Recovery Program directed at those portions of CA-SBA-58 that will be impacted by the project in order to recover, analyze, and document a representative sample of the deposits, pursuant to City Cultural Resource Guidelines, prior to covering of the site with fill soil and development.

4-34

- This phase 3 program entitles the archaeologist to carry out its program without limitations. The phase 3 programs must be designed to be carried out in only the pile locations that are to be already disturbed. There is no justification for allowing additional excavations to take place beyond what construction activities will create. There is no law that states where the excavation locations must be in any place an Archaeologist says they should be. As a condition of approval the City must state the exact location of where they can dig, it is within their discretion.

Excavation Methodology:

4.4-20

In order to better define the areas of intact cultural deposits, the archaeologist will employ grading equipment to remove the fill and redeposited midden soil in those areas that will be excavated to a depth of 18 inches (46 centimeters) to the east and south of the currently defined archaeological site boundaries (CRMS 2011: Figure 7).

4-35

- This phase 3 program entitles the archaeologist to carry out its program without limitations. The purpose of the mitigation measures is to reduce impacts not giving a free hand to create and introduce further impacts by exploratory archaeological methods. One of the fundamental issues with this phase 3 proposal for the Native American community is the reduction of impacts to the site and to carry out that goal it has been requested that all phase three excavations be carried out in the locations of the Pilings. This will create controlled destruction and preserve the open space of untouched areas of intact loci.

4-36

- If the excavation is limited to 18 inches then there should be no need to excavate further.

- 4-37

 - According to the CRMS report excavations to 18 inches would be a significant impact if excavations take place in the south east archaeological site boundaries. “It appears that significant amounts of intact midden soils are present in the southeast portion of the parcel at within 20 cm (8 inches) of the surface (see Exhibit D, #9,#10,#11) **This is a significant Impact.**

If significant areas of intact midden are discovered during this activity, the data recovery portion of the archaeological mitigation will be expanded to incorporate these areas of intact cultural deposits. **4.4-20**

- 4-38

 - There is an implication that the archaeologist will be granted exploratory rights for further excavations pits in the areas east and south of the currently defined archaeological site boundaries in order to better define the areas of intact cultural deposits. Grading activities are limited in these’s areas to depths of 18 inches yet data recovery is expanded if significant intact midden is discovered. However there is no limitation on the location of excavations. It would be requested that in these’s areas the excavation location be placed in the areas of the pile locations. The pile locations are approximately within 1-3 meters of each other. Suitable to a phase 3 excavation plan.

- 4-39

 - Currently the Archaeologist is given the direction that 7 excavation units are directed to be placed beneath the building footprint (as well as other locations for three other units) leaving 10 units to the discretion of the archaeologist. This is objectionable to the Native American community.

- 4-40

 - a. A series of ten 10.8-square-foot (1-square-meter) units will be initially located so as to best establish the horizontal and vertical variation and density of cultural materials within the intact CA-SBA-58 midden. Excavation units within the intact midden will be excavated by hand, in 8-inch (20-centimeter) levels. Excavated soil will be water-screened in the field through 1/8-inch wire mesh. Within this collected material, however, 25% of the excavated soil will be screened through 1/16-inch mesh to allow for more specific analyses of food remains and to recover very small artifacts, as discussed below. Column samples will be taken from no less than five of the most productive units. **4.4-20**

 - The vertical and horizontal variation and density of cultural materials within intact CA-SBA-58 midden was identified in the by Dudek, as part of a Supplemental Extended Phase I Archaeological Investigation, A total of twenty STPs, fifteen 2-inch (5-centimeter) diameter cores and six backhoe trenches were excavated. They can contribute to the vertical variation within the site. The six backhoe trenches also facilitated with the horizontal variation and density of cultural materials within the intact portion of the site. This data could be extrapolated for the whole site by incorporating measurements into a GIS program. I have already started doing this on my own. It does not stand to reason to incur further destruction when data is currently obtained from the previous investigation.

4-41	<p>Excavation units within the intact midden will be excavated by hand, in 8-inch (20-centimeter) levels. 4.4-20</p> <ul style="list-style-type: none"> The industry standard is 4-inch (10-centimeter) levels. It is imperative that a controlled excavation process is carried out that afford the best possibility that material is obtained. Using larger levels leads to loss of data.
4-42	<p style="text-align: center;">4.4-20</p> <p>b. An additional ten excavation units will be excavated, with at least two units placed within the pool area and one unit within the southern excavation pit on the eastern sewer line, if intact cultural deposits are encountered. The remaining seven units will be placed beneath the footprint of the building to mitigate the loss of access to CA-SBA-58 as well as provide baseline data needed to assess the efficacy of the archaeological site preservation strategy. Any other units needed to more fully expose any features or other significant sources of data encountered during the course of this Phase 3 data recovery will be in addition to, not at the expense of, these 20 excavation units.</p> <ul style="list-style-type: none"> The remaining 7 units are stated to be placed beneath the footprint of the building to mitigate loss but this statement is not specific to suggest that the locations of excavation units will be placed within the pile location as to minimize impacts to the site. Without this clearly stated it leaves the placement of excavation units at the discretion of the archaeologist, something the Native Community objects too.
4-43	<ul style="list-style-type: none"> 7 units out of 143 pile locations equals less than 5% of direct impacts data is collected from if the archaeologist is given this specific direction. The proposal made by the DUDEK in its 2008 phase 3 recommendations was to collect 12% of samples, 25 of 207 pile locations within loci 1. Along with an additional 25% pile locations (44 presently estimated) shall be hand excavated in 20-centimeter (8-inch) levels to recover (if present) a representative sample of larger prehistoric artifacts. It is not clear why there is a lack of data collection being proposed here. If DUDEK was incorrect in its calculation of required data it raises questions as to its ability to carry out this project to competition and efficiently. At the very least this should be clarified with the rational and reason for the change.
4-44	<ul style="list-style-type: none"> The Native American community would rather see each pile location (243) all be hand excavated and screened prior to any grading activities with the condition that if human remains are found the pile locations have to be redesigned to an alternate location and the human remains are left in place. All data collected from the 243 pile locations would be provided to the phase 3 study. No further subsurface disturbance should take place in any other location than the pile locations in order to effectively mitigate impacts to less than significant. The pile locations will be causing the most direct impact and by hand excavating the locations it is possible to retrieve data that is sensitive to Native Community. <p>Any other units needed to more fully expose any features or other significant sources of data encountered during the course of this Phase 3 data recovery will be in addition to, not at the expense of, these 20 excavation units. 4.4-20</p>

4-45

4-44
cont.

- The DUDEK Supplemental Extended Phase 1 Archaeological Investigation, 2008 on the Phase 3 data recovery recommendation was that 44 pile locations be collected. “The direct and indirect impacts to CASBA-58 require the collection of a sufficient quantity of data in order to adequately characterize the nature of the deposit as part of the mitigation.”(Dudek 2008) The reduction of excavation units is not clearly defined or explained. Only that CRMS does make a calculation in its report that equates to grading increases that should have a trigger to add new additional excavation units. “In areas of new or deeper grading at minimum sampling should encompass two tenths (.02%) of the increase in impacts. Thus, for example, if an additional 500 square meters need to be graded to a greater depth within the archaeological site that will require the excavation of at least one additional one meter by one meter unit.” (CRMS, Changes in Grading plan, pg 24) In order to adequately obtain the appropriate amount of data for this phase 3 study it should be clearly defined as to the parameters of calculation not left up to general assumption made with no basis of scientific calculation. Guessing. At the most, all pile locations should be excavated to preserve the site intact and that data is sorted for collection.

4-45

c. A Chumash Native American will be retained as an observer during all Phase 3 field excavations. The observer will satisfy the requirement as a most likely descendant of any human remains identified within CA-SBA-58, as required by the Native American Heritage Commission. 4.4-20

- This statement is incorrect and never should be used. It has been advised on several occasions to the City of Goleta Planning dept. This is ethically incorrect and procedurally incorrect.
- The first problem is procedurally, the most likely descendant is not identified until human remains are found on this site. Prior to that specific event taking place, all MLD’s are part of a pool of individuals who are from the territory. There can be no identification of who the MLD will be prior to any human remains being found.
- Secondly, it is ethically offensive to have the MLD also listed as the Native American observer. The creation of the MLD function found in PR code 5097.98 was to offer an independent element to the process of Native American monitoring and the disposition of human remains. Too many monitors are influenced by the association of employer and the disposition of our ancestors. The saying “Don’t bite the hand that feeds you” comes to mind when a MLD is also the observer. More importantly the Native American Heritage commission has presented its legal assessment on the naming of a MLD and observer as the same individual on development projects. (see NAHC MLD Procedures.pdf)
- Lastly, the MLD has ultimate authority as to the disposition of human remains. Above and beyond that of the land owner and the planning process. The bottom line is if the MLD makes the claim that the human remains are to be left insitu and not reburied or relocated the attorney general has granted them that authority. This is a powerful outcome if the developer is paying the observer and can lead to

4-45
cont.

unfavorable results. A MLD must be kept from any financial advancement in its decision for disposition of human remains. The Attorney General assessment on the authority of the MLD is included. (see CA_Attorney_General_MLD_Authority.pdf)

- All occurrences where the Native American Observer and MLD are stated to one in the same must be removed.

MM CUL-3b. Construction Monitoring

4.4-21

4-46

d. In the event potential human remains (including a single bone fragment of unknown origin) are uncovered at any time, mitigation requirements established under Mitigation Measure 4.4-5 below, will be carried out.

- There is no 4.4-5 sections, likely meant to state “MM CUL-3e.”
- This section should read “in the event that human remains are found the policies outlined by the NAHC should be followed. Or the policies found in PR code 5097.98 are carried out.
- A more specific direction can be...”all work will stop in this area and may continue in another part of the parcel. Then the area is to be fenced off and all items left as is. The coroner shall be notified and the procedures found in PR code 5097.98 will be carried out to completion. Also notified will be...interested parties, City staff..etc.

4-47

e. If an artifact is identified as an isolated find, the artifact(s) will be recovered with the appropriate location data and the item will be included in the overall inventory for the site.

- It is a little difficult to justify that any item found can be construed as an isolate. This is a village site, and no one can define how far does an artifact need to be from another artifact in order to be called an isolate...1 meter, 3 meters...15 meters. It’s a village site and unless features are found to assist in the spatial setting of the site there can be no definitive determination that any item found is an Isolate.

MM CUL-3e. Discovery of Human Remains**4.4-23**

Procedures will be prepared and will be followed in the event human remains are discovered.

Plan Requirements and Timing: Prior to any site preparation, ground disturbing, grading, and/or construction activities, the permittee and construction crew will meet on site with the local Chumash representative(s), identified as the Most Likely Descendent (MLD) by the State Native American Heritage Commission. The MLD, permittee, the Lead Agency, and City-approved archaeologist will discuss procedures. These procedures will include those identified by California Public Resources Code 5097.98, State CEQA Guidelines Section 15064.5, and the City's Cultural Resource Guidelines. The coroner will be contacted if human remains are discovered. Satisfactory disposition of the remains will be agreed upon by all parties so as to limit future disturbance. Procedures will be reviewed and approved by the City prior to Land Use Permit issuance.

The procedures listed are incorrect. This process has been re-written on several occasions by several agencies that have no clue of the process that should be taken.

4-48

- The process to be followed in the case of human remains are discovered are as follows, and should be stated as such in the EIR Mitigation measures without deviation.
- NAHC- The following actions must be taken immediately upon the discovery of human remains: Stop immediately and contact the County Coroner. The coroner has two working days to examine human remains after being notified by the responsible person. If the remains are Native American, the Coroner has 24 hours to notify the Native American Heritage Commission. The Native American Heritage Commission will immediately notify the person it believes to be the most likely descendent of the deceased Native American. The most likely descendent has 48 hours to make recommendations to the owner, or representative, for the treatment or disposition, with proper dignity, of the human remains and grave goods. If the descendent does not make recommendations within 48 hours the owner shall reinter the remains in an area of the property secure from further disturbance, or; If the owner does not accept the descendent's recommendations, the owner or the descendent may request mediation by the Native American Heritage Commission. Discuss and confer means the meaningful and timely discussion careful consideration of the views of each party.
- Other functions of the process to take when Identification of human remains is to create a stop work order and to cordon off the area of remains located and allow work to carry on in other parts of the project site till the human remains are dealt with. No further construction work is to take place in the area of the find.
- The City of Goleta does not have the Authority to rewrite the MLD assignment process to suit the needs of the developer or any other party. The process is clearly listed in PR code 5097.98 and does not need any tampering with.

6.2.3 Alternative 3: Project Redesign 6-12

The current proposed project has undergone several revisions since the original proposal was submitted to the City of Goleta. In order to reduce the potential impact on cultural resources from the construction of the Marriott Residence Inn changes to the original plan were made.

4-49

"In addition, the structural setback from Hollister Avenue has been increased, the number of hotel rooms has been reduced, and the structural square footage and the building footprint have all been reduced."

- This statement should reflect the economic impact created by the reductions and compare them to the increase in economic viability at the Alternate 2 location. A larger parcel would allow for more rooms and floor space. Along with larger meeting space which in turn would increase its economic viability. These reductions only serve to decrease its value and pull in the market.

4-50

The project does, however, still result in potentially significant impacts. Based on comments associated with the prior Marriott Residence Inn proposed project, the major issues of concern were the project's impact on cultural resources and aesthetic impacts relating to obstruction of mountain views and the development's compatibility with the surrounding area.

- In comparison to the Alt 2 site, there is no scenic views or obstruction of mountain views or cultural resources to be impacted.
- Its compatibility to surrounding area would increase the overall economic viability of Old Town Goleta.

4-51

Alternative 3 is a project redesign that attempts to reduce impacts on cultural resources (and possibly on aesthetics). Alternative 3 involves the following changes to the project.

- The configuration of the hotel would be "flipped," so that the north/south wing was located on the side of the parcel closest to Robin Hill Road. This would place the pilings furthest from the most culturally sensitive portion of the site. One concern with this configuration is that the Robin Hill Road elevation would be a solid wall that may further impact mountain views. This configuration would also place the swimming pool in shadow much of the day.

4-52

- This statement is factually incorrect. In the Supplemental Extended Phase 1 study it was determined that the site intact cultural resources midden portion also included the NW portion of the site. The "Flipping" of the building 15 rooms was proposed before the extended phase 1 study had been completed, the results were that no matter where you placed the buildings you would impact intact midden resources. (See 4-4.2 section of this report review.)
- The statement of "from the most culturally sensitive portion of the site" is made with no factual bases. Introduced in the CRMS report it does not offer any criteria for determine which portions are more or less culturally sensitive. The entire site is Culturally sensitive in many areas of reason, used by several groups that would attach value and worth. The City of Goleta's name sake, the Native

6.4 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

The CEQA Guidelines (Section 15126.6(e)(2)) require that an environmentally superior alternative be identified among the alternatives. The environmentally superior alternative is defined as the alternative that would result in the least adverse environmental impacts, when compared to the impacts of the proposed project.

4-54 With the proposed project we have several impacts associated with its development such as, Visual, bulk and scale, and most importantly the loss of a non-renewable cultural resource. More importantly the site is not only a significant prehistoric archaeological resource and the last of its kind within the City boundaries but also a historical resource that provides for the namesake of the City of Goleta. Its overall stock value is thus projected into a higher impact threshold for comparison to the least adverse environmental impacts. The degree of comparison should reflect this threshold fairly.

6-16

Alternative 2, the Page property is not known or expected to be associated with cultural/archaeological resources, given its location, soil characteristics, and both onsite and nearby archaeological investigations to date. Alternative 2 would meet most, but not all of the project objectives.

- According to the CEQA guidelines the alternative is not required to meet all the project objectives, but only "**meet most of the basic objectives**.."

4-55 *CEQA Guidelines Section 15126.6 provides a framework for the formulation and analysis of alternatives in an EIR. This section states, "[a]n EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project, but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives." Project objectives are listed in Chapter 2, "Project Description." (Alternatives section of this DEIR 6-1)*

- Many of the Objectives are merely speculative and can change with economic parameters.

"Also, because the Page property location is not as visible as the proposed project site,"

4-56 • It is unclear as to what this statement means. The Proposed project site is not visible from the Highway 101, and is only visible from the Hollister corridor. Comparatively the Alternate site 2 would be clearly visible from Highway 217 and based on studies conducted, UCSB would be a primary source of economic value for a Hotel in alt2 location. Thus the placement of a hotel along 217 provides a positive relation to economic value as opposed to the Hollister corridor.

- 4-56
cont.
- In addition, the Alt 2 site location would allow for 9,000 square ft. of meeting space that would increase its economic value over the Proposed Project location which has various reductions due to mitigation measures would only have less than 1,300 square ft. of meeting space, making it less attractive to local Business and University customers.
- “is not located adjacent to the Santa Barbara Airport”*
- 4-57
- The actual distance from the Alt 2 site and the Airport is shorter than the proposed project location. Less than a Half mile.
- 4-58
- The proposed project intends to utilize shuttle buses to and from the airport making distance irrelevant.
- 4-59
- In reviewing of all the other nine (9) Marriott Residence Inn extended stays in the State of California, location and proximity to an Airport is not a major factor in placement. Some locations are less than a half mile many are far further away.
- “the Page property location may not provide the same level of transient occupancy tax revenues as the project at the proposed site”*
- 4-60
- The Page site is a larger parcel and would allow for a two story Hotel to be placed with a larger foot print and larger occupancy level. A larger meeting space such as 9,000 square feet. In comparison to the Proposed Project location which is taller, yet less rooms, smaller meeting space does not offer the same level of transient occupancy tax revenues.

- 4-61 In conclusion, the Proposed project location should not be granted a lot split. There is an alternative that shows less environmental impact and meets most of the basic objectives. When it comes to the project location. It should be investigated for its historic value and the relationship with the City of Goleta and its namesake. It would be nice to see this turned into a park with a Historical element that the people of Goleta can go to experience the culture of the past and learn. It would provide a valuable economic draw to schools and educational groups and enrich the culture of Goleta.
- The placement of a Hotel at the Alt 2 location is economically feasible and it would allow funnel visitors to pass through the Old Town portion of Goleta and help boom this area of the city. Placement of a Hotel on the Hollister corridor does nothing for Old town. Most visitors would turn at the corner of Fairview to get to Calle real or take the 101 and miss old town completely.
- 4-62 But this is not just any Hotel, it is a Marriott Residence Inn Extended Stay. And from the Company web site it states that the customers that stay at these hotels are a very specific clientele. Most of them current use the Bacarra as Hotel preference. The Baccarra is not located close to the Hotel and is much further away from any shopping centers. It's not clear why distance to services plays a role in assessing the feasibility of this type of hotel at this location.
- 4-63 The Alt 2 location does have Agricultural land that has been deemed a significant impact, but when you compare that against Cultural resources that are non-renewable, the lesser of the two impacts is the loss of ag land.
- With that said, Alternative 2 is a lesser environmental impact and the project lot split should be denied.
- 4-64 I thank you for your time. Please feel free to contact me with any question you might have. I also request to be kept informed of future developments.
- Best wishes, Frank Arredondo*
Ksen-Sku-Mu
Chumash MLD
Po Box 161
Santa Barbara, Ca 93102
Email Ksen_Sku_Mu@yahoo.com

This Page left blank

Attachments

1. March15&16_2010.pdf
2. Aug_4_2010.pdf
3. Notice for Aug 2010 Meeting re CRMS report.doc
4. State and Federal Consultation policies.doc
5. Frontmatter.pdf
6. Introduction and Overview.pdf
7. Contents of General Plan
8. Ceqa & CalRegister.doc
9. NAHC Consultation Guidelines.rtf
10. NAHC MLD Procedures.pdf
11. CA_Attorney_General_MLD_Authority.pdf
12. Sensitive Receptors guidelines.doc

R Marriott Residence - Yahoo! Mail

<http://us.mc1619.mail.yahoo.com/mc/showMessage?sMid=77&fid=...>



EIR Marriott Residence

Monday, March 15, 2010 5:15 PM

From: "Chumash People" <ksen_sku_mu@yahoo.com>
To: nancy@crms.com

Hello Nancy Farrell,

My name is Frank Arredondo. I would like an update on the current progress in your preparation of the cultural resources section of the EIR and included mitigation measures. Please include me as an "Interested Native American Party".

Thank you for your time...Frank

*Best wishes, Frank Arredondo
Ksen~Sku~Mu
Chumash MLD
Po Box 161
Santa Barbara, Ca 93102
Email Ksen_Sku_Mu@yahoo.com
805-617-6884*

e: Marriott Archaeology - Yahoo! Mail

<http://us.mc1619.mail.yahoo.com/mc/showMessage?SMid=/5&tid=...>**Re: Marriott Archaeology**

Tuesday, March 16, 2010 11:43 PM

From: "Chumash People" <ksen_sku_mu@yahoo.com>**To:** "Frank Arredondo" <Ksen_Sku_Mu@yahoo.com>, "Natasha Heifetz Campbell" <heifetzcampbell@cox.net>**Cc:** "Patricia Miller" <pmiller@cityofgoleta.org>, "Todd Hannahs" <thannahs@earthlink.net>

Thank you Natasha,

I assume you are aware that CRMS sent out a letter requesting contact and communication from me directly. I understand the intent of your request. But how are you to prepare a cultural resource environmental impact report without Native American input during the process? Significant Impacts can be determined by Native American input. If you wait till after the report is done then the comments made by Native Americans are not taken into consideration with the same weight. Significant Impacts are identified by quantitative sources, Native American input during the EIR phase is part of that process, not after the fact.

I am not sure this is something that is in accordance with CEQA guidelines or even with several other policies.

I am afraid I will have to

*Best wishes, Frank Arredondo
Ksen~Sku~Mu
Chumash MLD
Po Box 161
Santa Barbara, Ca 93102
Email Ksen_Sku_Mu@yahoo.com
805-617-6884*

Marriott Archaeology - Yahoo! Mail

<http://us.mc1619.mail.yahoo.com/mc/showMessage?sMid=76&fid=...>**Marriott Archaeology**

Tuesday, March 16, 2010 6:54 PM

From: "Natasha Heifetz Campbell" <heifetzcampbell@cox.net>
To: "Frank Arredondo" <Ksen_Sku_Mu@yahoo.com>
Cc: "Patricia Miller" <pmiller@cityofgoleta.org>, "Todd Hannahs" <thannahs@earthlink.net>

Frank

I have asked the archaeological consultants not to reply directly to applicant or public information requests regarding ongoing work for the Marriott project. There will be a thorough opportunity for public comment on the assumptions, impact assessment, proposed mitigation measures, etc. and I will make sure that you are provided notice of all such opportunities.

This protocol is designed to ensure the most independent, objective analysis by CRMS for the City.

Please let me know if you have any questions about this.

Thank you,

Natasha

Natasha Heifetz Campbell
1130 Del Sol Avenue*
Santa Barbara, CA 93109
805-962-0030
heifetzcampbell@cox.net

*For Goleta projects, mail correspondence to:

City of Goleta
Planning & Environmental Services
Attn: Natasha H. Campbell
130 Cremona Drive, Suite B
Goleta, CA 93117

Meeting 72610 CRMS report - Yahoo! Mail

<http://us.mc1619.mail.yahoo.com/mc/showMessage?sMid=56&fid=...>



Meeting 72610 CRMS report

Wednesday, August 4, 2010 5:12 PM

From: "Natasha Heifetz Campbell" <heifetzcampbell@cox.net>

To: vennisem13@gmail.com, Vennise@agpvideo.com, tasinhal@yahoo.com, ksen_sku_mu@yahoo.com, freddyromero1959@yahoo.com

Cc: "Patricia Miller" <pmiller@cityofgoleta.org>
2 Files (5049KB)



I am re-sending out this email (from Monday) because I believe that the report attachment was so big that the email may not have gone through. Please let me know if you receive this email and its attachments.

The hard copy of the notice was mailed on Monday (August 2) for the August 12 meeting to discuss the draft archaeology report prepared for the City of Goleta by CRMS for the proposed Marriott Residence Inn project.

Given your past interest in cultural resources on this site and/or other nearby sites and because I have an email address for you, I am attaching the electronic version of the notice as well as the draft report. Hard copies of the report can also be made available upon request (as stated in the notice).

Please let me know if you have any questions or comments about this email.

I hope to see you on August 12th,

Natasha

Natasha Heifetz Campbell
1130 Del Sol Avenue*
Santa Barbara, CA 93109
805-962-0030
heifetzcampbell@cox.net

*For Goleta projects, mail correspondence to:

City of Goleta
Planning & Environmental Services
Attn: Natasha H. Campbell
130 Cremona Drive, Suite B
Goleta, CA 93117



NOTICE OF CULTURAL RESOURCES MEETING
Planning and Environmental Services
AUGUST 12, 2010 10 A.M.

MARRIOTT RESIDENCE INN
and HOLLISTER CENTER PROJECT
CASE NO. 09-075-DP, -TPM; 09-079-DP, -AM
6300 Hollister Avenue; APN 073-050-020

NOTICE IS HEREBY GIVEN that the Planning and Environmental Services Department of the City of Goleta will hold a meeting to discuss the draft report prepared by Cultural Resources Management Services (CRMS), which addresses the project site's archaeological resources, potential project impacts to these resources and recommended mitigation. If you have not received a copy of the draft report with this notice, the report will be made available upon request, by contacting Natasha Heifetz Campbell (805-962-0030, heifetzcampbell@cox.net).

PROJECT LOCATION: The project site is located immediately north of Hollister Avenue and east of Robin Hill Road and west of La Patera Lane, within the City of Goleta, California. The proposed hotel site is currently undeveloped. New development on the adjacent Hollister Business Center site would be limited to proposed frontage improvements (sidewalk, landscaping, bus stop) along Hollister Avenue.

PROJECT DESCRIPTION: Anthony Wrzosek of R.D. Olson Development representing the applicants, R.D. Olson and Sares Regis Group, proposes to subdivide the current 10.95 gross acre parcel into three parcels of 6.90 acres (Parcel 1; includes the existing Hollister Center structure), 3.81 acres (Parcel 2; proposed Marriott Residence Inn) and 0.24 acres (City of Santa Barbara Hollister Avenue right of way to be dedicated to the City of Santa Barbara). A Development Plan Amendment is proposed for the existing Hollister Center office research/development site that recognizes the proposed new parcel (Parcel 1 of the subdivision request) and includes a request for a modification of zoning ordinance standards to address existing, non-conforming improvements and conditions on-site. A new Development Plan is proposed to allow construction of an 80,989 SF, 118-room Marriott Residence Inn, a patio and pool area in the center courtyard of the hotel, 122 parking spaces around the perimeter of the site, frontage improvements, and a sewer lateral connection to existing Goleta Sanitary District lines. Access would be provided from Hollister Avenue and Robin Hill Road.

MEETING DATE AND TIME: August 12, 2010 at 10:00 A.M.
PLACE: Goleta City Hall, Council Chambers
 130 Cremona Drive, Suite B,
 Goleta, California 93117

All interested parties are encouraged to attend and to discuss their comments and/or concerns regarding cultural resources and the CRMS report. If you will not be attending the meeting, but wish to otherwise provide comments, please submit comments to the project planner:

Ms. Natasha Heifetz Campbell, Contract Planner
 City of Goleta, Planning and Environmental Services
 130 Cremona Drive, Suite B
 Goleta, CA 93117

Email: heifetzcampbell@cox.net Phone: 805-962-0030 Fax: 805-685-2635

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

State and Federal Consultation policies. To be used as guidance for Local government agencies to take direction from State and Federal agencies on what consultation entails.

State Consultation

Executive Order of Governor Brown, No.B-10-11 gives direction for every state agency and department subject to the Governors executive control, shall consult with California Indian Tribes. For purposes of this Order, the terms "Tribe," "California Indian Tribe", and "tribal" include all Federally Recognized Tribes and other California Native Americans.

The letters have met the CEQA requirements of "scoping" notices but not with Executive orders from Governor Brown calling for "consultation" What was missing was two specific terms that grant Native Americans protection to comment. First, the recognition as "Native American", second, is the purpose of the noticing for "consultation". Government Code 6254.10 protects information obtained through consultation with Native Americans from public information request. Only a letter noted with both "Native American" and "consultation" will meet any legal standing.

To assist local government agencies with complying with this CEQA requirement Government code 65092(b) provides direction. The State Native American Heritage Commission (NAHC) created a list of Native American contacts, "As used in this chapter, "person" includes a California Native American tribe that is on the contact list maintained by the Native American Heritage Commission." This list provides the direction of "person's" to contact for such notices and for consultation. But "noticing" and requesting "consultation" are two very different things.

More importantly the process of "consultation" is further defined by the NAHC and provided as addendum. (NAHC Consultation Guidelines)

Key phrases that cover this process involve such things as: Consultation should be viewed as "the right to have a seat at the table, a chance to persuade the responsible ... official to do the right thing."

Consultation is defined in Government Code Section 65352.4 as the "meaningful and timely process of seeking, discussing, and considering carefully the views of others..." Consultation involves conduct that is mutually respectful of all parties, recognizes all parties' cultural values, incorporates the parties' needs for confidentiality, and seeks agreement on the resolution of the concerns raised.

In conducting consultation the NAHC states that, simply notifying a tribe is not the same as consultation. A 1995 federal court ruling held that written correspondence requesting consultation with a tribe was not sufficient for the purpose of conducting consultation as required by law, but that telephone calls or more direct forms of contact may be required. In *Pueblo of Sandia v. United States*, 50 F.3d 856 (10th Cir. 1995), the court held that the U.S. Forest Service had not fulfilled its consultation responsibilities under the National Historic Preservation Act by merely sending letters to request information from tribes. Agency or Department officials should be aware that tribes may require a significant period of time to respond to a consultation request.

Consultation requests should include a clear statement of purpose, explaining the reason for the request and declaring the importance of the tribe's participation in the project planning process. All aspects of the consultation process should be documented, including how the agency reaches a final decision.

Upon conclusion of consultation, the Agency or Department should notify all consulting tribes of the proposed decision, specifically discussing the basis for the decision, the relationship to tribal concerns, and outlining the process for tribes to challenge the draft plan prior to its final approval.

Federal Consultation

The State guidelines provided by the NAHC for consultation is also in accordance with Federal mandates to consult with Native Americans. The Code of Federal Regulations defines Consultation.

C.F.R. § 800.2(c)(2) (ii) *Consultation on historic properties of significance to Indian tribes and Native Hawaiian organizations.* Section 101(d)(6)(B) of the act requires the agency official to consult with any Indian tribe or Native Hawaiian organization that attaches religious and cultural significance to historic properties that may be affected by an undertaking. This requirement applies regardless of the location of the historic property. Such Indian tribe or Native Hawaiian organization shall be a consulting party.

In 2010 the Quechan Tribe of the Fort Yuma Indian Reservation filed an injunction against the U.S. dept of the Interior Bureau of Land Management (BLM) for failing to “consult” with tribes and were required to comply with the National Environmental Policy Act (NEPA), the National Historical Preservation Act (NHPA), and the Federal Land Policy and Management Act of 1976 (FLPMA) by making certain analyses and taking certain factors into account before deciding to go ahead with the project.

The Tribe sought judicial intervention under the Administrative Procedures Act (APA).

The Court's review of agency action under NEPA, NHPA, or FLPMA is governed by the Administrative Procedures act. Under 5 U.S.C. § 706 the Court is directed to compel agency action that has been unlawfully withheld, (§ 706(1)), and hold unlawful and aside agency actions it finds to be "arbitrary, capricious, abuse of discretion, or otherwise not in accordance with law" (§ 706(2)(A)), or "without observance of procedure required by law" (§ 706(2)(D)). The burden was on the Tribe to show any decision or action was arbitrary and capricious. *Kleppe v. Sierra Club*, 427 U.S. 390, 412 (1976).

Under the Merits Discussion section ,the parties agreed that, under NHPA Section 106 (16 U.S.C. § 470f) and its implementing regulations, the Bureau of Land Management (BLM) was required to consult with certain parties before spending money on or approving any federally-assisted undertaking such as the project at issue here, and that the Tribe is one of those parties. The Tribe maintains BLM did not adequately or meaningfully consult with them, but instead approved the project before completing the required consultation. According to the Tribe, BLM simply didn't consider what the tribe had to say before approving the project.

The Court case goes on to define the policies and process of consultation and characterized that the BLM had failed to consult with tribes based on several specific points.

- Preliminarily, several points bear noting. First, the sheer volume of documents is not meaningful. The number of letters, reports, meetings, etc. and the size of the various documents don't in itself show the NHPA-required consultation occurred.
- Second, the BLM's communications are replete with recitals of law (including Section 106), professions of good intent, and solicitations to consult with the Tribe. But mere *pro forma* recitals do not, by themselves, show BLM actually complied with the law. As discussed below, documentation that might support a finding that true government-to-government consultation occurred is painfully thin.
- At oral argument, the Tribe described the meetings as cursory information sessions and the reports and other communications as inadequate. Its briefing also argues that Defendants have confused "contact" with required "consultation." The documentary evidence didn't show BLM ever met with the Tribe's government until October 16, 2010, well after the project was approved. All available evidence tends to show BLM repeatedly said it would be glad to meet with the Tribe, but never did so.

Although BLM invited the Tribe to attend public informational meetings about the project, the invitations did not meet the requirements set forth in 36 C.F.R. § 800.2(c)(2)(ii).

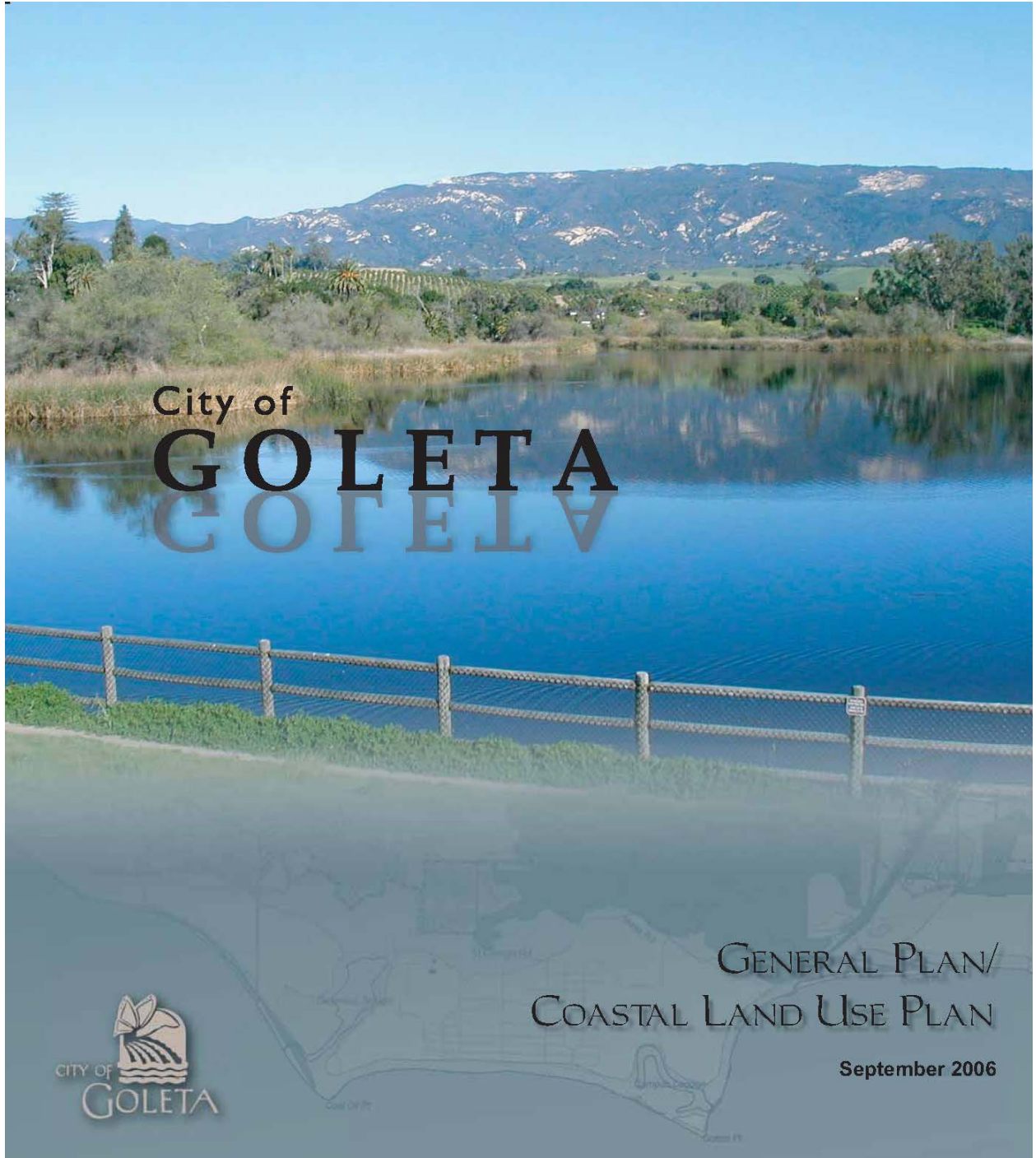
- BLM's invitation to "consult," then, amounted to little more than a general request for the Tribe to gather its own information about all sites within the area and disclose it at public meetings.

While public informational meetings, consultations with individual tribal members, meetings with government staff or contracted investigators, and written updates are obviously a helpful and necessary part of the process, they don't amount to the type of "government-to-government" consultation contemplated by the regulations.

- No letters to initiate consultation was ever sent to the tribes by BLM, rather the tribes were invited to attend public informational meetings or to consult with members of staff or point of contacts.

The court ruled that the "government agencies are not free to glide over requirements imposed by Congressionally-approved statutes and duly adopted regulations. The required consultation must at least meet the standards set forth in 36 C.F.R. § 800.2(c)(2)(ii), and should begin early. The Tribe was entitled to be provided with adequate information and time, consistent with its status as a government that is entitled to be consulted. The Tribe's consulting rights should have been respected. It is clear that did not happen here."

Because the project was approved "without observance of procedure required by law," the Tribe is entitled to have the BLM's actions set aside under 5 U.S.C. § 706(2)(D).



Goleta General Plan/ Coastal Land Use Plan

Prepared by:



Planning and Environmental Services Department
130 Cremona Drive, Suite B
Goleta, California 93117
805/961-7500

Adopted by Resolution No. CC-06-38
October 2, 2006

Amended by Resolution Numbers
08-06, 2/19/08
08-30, 6/17/08
08-56, 11/04/08
09-30, 5/19/09
09-33, 5/19/09
09-44, 8/18/09
09-59, 11/17/09

City of Goleta. 2006. Goleta General Plan/Coastal Land Use Plan.
September. Planning and Environmental Services Department Goleta,
CA.



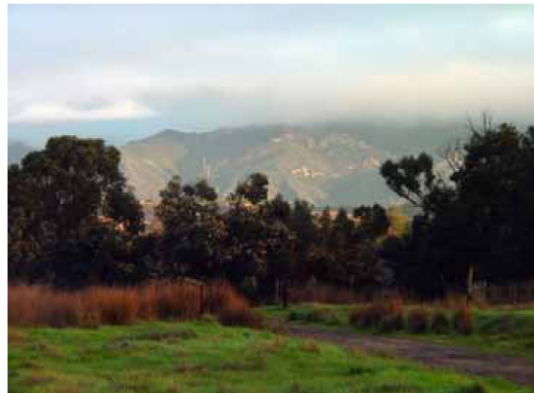
ACKNOWLEDGMENTS

City Council

Jonny Wallis	Mayor
Margaret Connell	Mayor Pro Tempore
Jean W. Blois	Councilmember
Cynthia Brock	Councilmember
Jack Hawxhurst	Councilmember

Planning Agency

Jack Hawxhurst	Agency Chair
Cynthia Brock	Vice Chair
Jean W. Blois	Agency Member
Margaret Connell	Agency Member
Jonny Wallis	Agency Member



Copies of the Goleta General Plan / Coastal Land Use Plan are available at:
Goleta City Hall, 130 Cremona Drive, Suite B, Goleta, California 93117

The Goleta General Plan / Coastal Land Use Plan is also available online at:
www.cityofgoleta.org



ACKNOWLEDGMENTS

City Staff

Daniel Singer	City Manager
Vyto Adomaitis	Redevelopment and Neighborhood Services Director
Kenneth Curtis	Planning and Environmental Services Director
Steve Wagner	Community Services Director
Patricia Miller	Current Planning Division Manager
Anne Wells	Senior Planner
Cindy Moore	Senior Planner
Rob Mullane	Senior Planner
Alan Hanson	Senior Planner
Laura Vlk	Associate Planner
Scott Kolwitz	Associate Planner
Margaret Duncan	Assistant Planner
Shine Ling	Assistant Planner

Former City Staff

Patrick Dugan
Doreen Farr



Consultants

JDL Mapping – GIS Mapping
 Jones & Stokes – General Plan Formatting/Editing and Noise Modeling
 Baird & Driskoll – Housing Element
 AllianceJB, Inc. – Transportation Model
 Dowling Associates, Inc. – Transportation Model
 PTV America, Inc. – Transportation Model

PREFACE



The area now occupied by Goleta was first described as “The Good Land” by the diarist Fr. Juan Crespi, a member of the Portola expedition, in 1769 (Walker A. Tompkins, Goleta: The Good Land, 1966). This occurred as members of the expedition first set sight upon the rich soils, verdant vegetation, and harmonious climate of the narrow coastal plain between the Santa Ynez Mountains and the Pacific Ocean. This scenic coastal plain has been transformed in many ways since the time of the Portola expedition. Although it now encompasses the suburban city of Goleta and its 30,000 residents, as well as other nearby communities, it still retains extensive tracts of natural open space and agriculture as well as broad scenic vistas of mountains and sea. Today this rare and exceptionally beautiful setting continues to foster a degree of serenity that inspires in Goleta’s inhabitants a connection with the natural environment and with their community. Goletans treasure the Good Land as a special place to live, work, and enjoy life.

Although the community of Goleta had its post-European beginnings more than 150 years ago, the City of Goleta itself is a newcomer to The Good Land. Until recently, the area was governed by the County of Santa Barbara, including planning and regulation of land use. After several unsuccessful previous efforts to incorporate, voters approved Measure H in November 2001, thereby creating the new City of Goleta and electing its first City Council. The City of Goleta was officially incorporated on February 1, 2002, realizing a vision of many in the valley to be able to shape its own future and destiny. This document is the first General Plan and Coastal Land Use Plan of the new City of Goleta. It is the intent and vision of this plan that its policies will contribute to a stewardship that will help preserve Goleta’s special character for the next generation and for future generations to come.

**CHAPTER 1.0
INTRODUCTION AND OVERVIEW**

1.1 REGIONAL AND LOCAL SETTING (GP/CP)

The city of Goleta is located in southern California on the south coast of Santa Barbara County, approximately 100 miles northwest of Los Angeles and ten miles west of the city of Santa Barbara. Figure 1-1 shows the city's regional location. The city is situated along U.S. Highway 101 (US-101), the major coastal highway linking northern and southern portions of the state. Goleta lies within a narrow coastal plain of exceptional natural beauty between the Santa Ynez Mountains and the Pacific Ocean. A portion of the city, including its 2-mile Pacific shoreline, is within the California Coastal Zone.

This plan governs land use and physical development within the geographic area of the incorporated city limits. As of January 1, 2006, this area included 5,075 acres, or approximately 7.9 square miles. In developing this plan, the City of Goleta (City) studied an area of approximately 95 square miles where future development might have impacts on the city. This larger territory is identified as the *Planning Area* and extends from the boundary of the city of Santa Barbara on the east to El Capitan State Beach on the west and from the limit of state waters three miles offshore on the south to the boundary of Los Padres National Forest on the north.

The area immediately west of the city of Santa Barbara, inclusive of the city of Goleta, is generally referred to as the *Goleta Valley*. The greater Goleta Valley includes the University of California, Santa Barbara (UCSB), which is located adjacent to and south of Goleta, and the nearby community of Isla Vista. The Santa Barbara Municipal Airport, which is within the corporate boundaries of the city of Santa Barbara, lies near the geographical center of Goleta.

1.2 GOLETA'S VISION: THE GOOD LAND (GP/CP)

Much has changed over the nearly 240 years since Fr. Crespi, the diarist of the Portola expedition, referred to the narrow coastal plain that we know today as the Goleta Valley as "The Good Land" (Walker A. Tompkins, *Goleta: The Good Land*, 1966). What remains unchanged is the perception of the area's residents that they live in a special environmental setting.

Today, the valley includes urban, suburban, and rural areas. The city of Goleta itself consists of a diverse blend of neighborhoods, each with its own character. Goleta is a community that encompasses and values diversity and balance: single-family homes and multi-family apartments; new start-ups and long-established and thriving businesses; quiet neighborhood



streets and smoothly flowing freeways; tree canopies and wide open spaces; organic farms and high technology manufacturing; a busy Old Town commercial district, shopping centers, and lively local farmers' markets; diverse scenic views that include ocean and island vistas as well as the backdrop of the Santa Ynez Mountains and foothills; and a range of opportunities for passive recreation and active sports.

The General Plan/Coastal Land Use Plan

From the beginning of the General Plan/Coastal Land Use Plan Program, a core concept underlying the preparation of the plan was that it should reflect the community's goals and aspirations for Goleta. The plan strives to create a coherent vision for the city's future, building upon the individual and sometimes conflicting visions of a diverse population. This overall community vision forms the foundation for the plan's goals, objectives, and policies. Goleta is at a critical juncture where decisions must be made concerning future growth and change and the maintenance of those qualities that have attracted people to the area, particularly over the past 25 years.

Goleta's Vision: The Good Land

This General Plan/Coastal Land Use Plan builds on Goleta's current distinguishing qualities and character by envisioning the future city as a community:

- Where people have a strong sense of identification with their community.
- That treasures open spaces and ecological resources.
- Where the amount and character of growth respects the carrying capacity of the natural environment.
- That maintains scenic vistas by protecting open spaces and ensuring that its built environment is designed to be sensitive to its setting.
- That promotes a sense of place based on a heritage of respect for the natural environment, small town values, and neighborhood cohesiveness.
- That is a balanced, diversified, and dynamic community composed of a range of age groups, ethnicities, and income groups.
- That values the integrity of residential neighborhoods by protecting their character, quality, and diversity.
- That fosters a peaceful small-town atmosphere.
- That promotes a healthy business climate compatible with community values.
- That recognizes the value of passive recreation to support active lifestyles.
- That provides active recreation for the health and pleasure of young and old alike.
- That seeks sustainability by not sacrificing tomorrow's resources for today's needs.
- Where all forms of transportation, including walking, bicycling, bus transit, and automobile, operate efficiently and safely.
- Where trees and flora soften the visual impact of development.
- That believes change should be managed to support and to enhance the character of the community.

- That responds to its needs with fiscal integrity.
- That reciprocates good relations with its neighboring communities and institutions.
- That strives to meet the needs of its citizens for housing, jobs, retail and commercial services, and public services.

1.3 PURPOSE AND ORGANIZATION OF THE PLAN (GP/CP)

Purpose

A general plan, which is required by California law, is the most important policy document that guides future physical changes and public decision making within a community. California law places the general plan atop the hierarchy of land use planning regulations; by analogy, it has been described as a “constitution” for decision making by a city for its future physical development and change. General plans are required to be comprehensive, long-range, and internally consistent. Every general plan must address seven specific topics, or *elements*: land use, housing, conservation, open space, transportation, safety, and noise.



While state law establishes specific requirements for the contents of the plan, within that legal framework each community has latitude to design its own future. State law allows flexibility in how elements are organized and the additional topics that may be included. All elements have the same legal status, and no element, goal, or policy can supersede any other.

The Goleta General Plan/Coastal Land Use Plan is the primary means for guiding future change in Goleta as it faces difficult choices on a daily basis about growth, housing, environmental protection, neighborhood compatibility and preservation, and transportation. The plan provides a guide for making these choices by relating day-to-day decisions to the goals, objectives, and policies of this document. The plan has four major purposes:

- To provide a unified and coherent framework and vision for the future of the community.
- To provide a basis for future decisions by the City on implementing ordinances such as zoning and subdivision codes, individual development project applications, and public investments in infrastructure and services, so as to achieve consistency with the framework.
- To inform the public of the City's policies and provide a means to invite public participation in the City's decision-making processes.
- To guide private landowners, developers, and other public agencies in formulating projects and designs that will be consistent with Goleta's policies.

Organization of the Plan

The Goleta General Plan/Coastal Land Use Plan consists of an introduction and nine individual elements that together satisfy the content requirements of the state's general plan law and the California Coastal Act (Coastal Act). Each element consists of five sections: 1) an introduction,

including a summary of legal requirements and background information; 2) a brief statement of guiding principles or goals; 3) a statement of Coastal Act policies incorporated into the plan, if applicable; 4) a detailed statement of City policies, including objectives and the specific means to accomplish them; and 5) a brief statement of future actions to implement the plan following its adoption.

The Goleta General Plan/Coastal Land Use Plan contains the following elements:

- **Chapter 2.0, “Land Use Element.”** The Land Use Element establishes a planned land use pattern and policies to govern development within the city. The land use designations and policies, together with the land use plan map, guide the general distribution, location, and extent of future land uses and development.
- **Chapter 3.0, “Open Space Element.”** This element addresses the preservation and management of all types of open space, including natural habitats, agricultural lands, outdoor recreation areas, lands for protection of public safety, and archaeological resources. The element contains an inventory of park lands within Goleta, sets standards for the development of recreational facilities, and provides detailed policies for maintaining and expanding public access to the Pacific shoreline.
- **Chapter 4.0, “Conservation Element.”** This element addresses the protection and management of natural resources, including environmentally sensitive habitat areas (ESHAs), air and water resources, agriculture, and others.
- **Chapter 5.0, “Safety Element.”** This element includes measures to avoid or mitigate the effects of hazards inherent in the physical environment, such as earthquakes, fires, floods, and certain industrial activities that represent potential risks to the community. It contains policies regarding emergency preparedness and response.
- **Chapter 6.0, “Visual and Historic Resources Element.”** This element identifies means to preserve scenic coastal and mountain views, design criteria to achieve compatibility of new and expanded development with community character, and measures to protect the City’s historic and architectural heritages.
- **Chapter 7.0, “Transportation Element.”** The Transportation Element establishes policies to create and maintain a balanced multimodal transportation system, including pedestrian, bicycle, transit, and rail transportation. It also includes proposed improvement projects needed to accommodate future use and development allowed by the Land Use Element and maintain adequate levels of service on city streets.
- **Chapter 8.0, “Public Facilities Element.”** The Public Facilities Element addresses the planning, development, and financing of various capital facilities that are needed to support the development and uses allowed by the Land Use Element, including a city hall or civic center.
- **Chapter 9.0, “Noise Element.”** The Noise Element establishes goals and policies to ensure that land use, development, and transportation activities do not create unacceptable noise impacts. It also includes measures to protect sensitive noise receptors.
- **Chapter 10.0, “Housing Element.”** The Housing Element addresses Goleta’s housing needs for a planning period extending to June 30, 2009 and beyond. It contains policies and programs to help meet the existing and projected housing needs of all economic segments of the community, with a focus on housing affordable to low- and moderate-income households. The element includes a detailed appendix that provides background information to support the policies and programs.

This document is supplemented by background reports, identified in the list of references, and by the environmental impact report prepared for the Goleta General Plan/Coastal Land Use Plan. However, these documents are not part of the plan.

Plan Structure

Each element of the Goleta General Plan/Coastal Land Use Plan includes guiding principles and goals, policies, map diagrams, and implementation programs or actions. This overall framework comprises the specific actions to be taken to help translate the community's vision into reality. For purposes of this plan, these terms have the following meanings:

- *Guiding Principles or Goals* express community values and the conditions that are sought or the principles that guide the formulation of policies and other actions. They describe a desired "end state" for the community in the future. They are the broad public purposes toward which policies and programs of the plan will be directed.
- *Policies* are a related set of actions to implement the goals. Each policy includes measurable objectives followed by several subpolicies that set forth the specific means by which the objectives will be accomplished. Policies may include map diagrams and qualitative or quantitative standards. Policies are usually articulated in sentences that use the following verbs: *shall, will, must, should, or may*. These have the following meanings:
 - "Shall," "will," and "must" signify mandatory requirements or actions.
 - "Should" indicates a desired, but not mandatory, course of action. The use of "should" recognizes that discretion or judgment must be exercised by the City in balancing various factors or policy considerations.
 - "May" indicates intent to preserve flexibility and options for future actions and decisions.
- *Programs and Implementation Actions* are organized sets of activities or actions that are intended to carry out a policy and to achieve specific objectives. These frequently involve commitment of financial, personnel, and/or other resources.



Discussion Draft General Plan Workshop in January 2005

The goals, objectives, and policies set forth in this document have full force and effect upon adoption of the Goleta General Plan/Coastal Land Use Plan. However, future actions by the City following adoption of the plan will be required to establish, adopt, or create the programs and other implementation measures identified in the various elements.

1.4 OVERVIEW OF THE PLAN (GP)

Major Themes

The Goleta General Plan/Coastal Land Use Plan expresses the following major policy themes:

- **Maintaining a Sense of Community and Conserving Neighborhoods.** Neighborhoods are recognized as the essential building blocks of the Goleta community. The plan strives to: build on the current strengths of neighborhoods; ensure that new development is compatible with their character; create safe and attractive neighborhood environments; conserve and enhance the existing housing stock; and ensure that quality community services are delivered to all neighborhoods.
- **Protecting Goleta's Natural Heritage.** Goleta's beaches and shoreline bluffs, creeks, wetlands, monarch butterfly roosts, woodlands, and other open spaces are recognized as a treasured natural heritage to be protected, preserved, and enhanced. Passive recreational use and enjoyment of public open spaces are encouraged.
- **Maintaining a Balanced Community.** The plan strives to maintain a balanced community that will satisfy the needs of its residents for housing, commercial services, and employment opportunities.
- **Creating a Sustainable Community.** The plan emphasizes limiting and managing growth and change in the community in a manner that can be sustained into the future based on resource availabilities and constraints. This includes protecting lands for community-based agriculture and ensuring that both renewable and non-renewable resources are used wisely.
- **Meeting Housing Affordability Challenges.** The careful use of a limited supply of vacant land to meet the housing needs of a diverse population is emphasized, with a particular focus on production of housing units that will be affordable to low- and moderate-income households. The plan emphasizes preservation of existing affordable housing, including rental units and mobile home parks. Maintaining an appropriate balance between housing and jobs is acknowledged, along with an increased role for employers in addressing housing needs.
- **Maintaining an Efficient Transportation System.** A safe and efficient transportation system, with future improvements consistent with desired community character, is a key aspect of the plan. It includes measures and projects to reduce reliance on auto travel during peak travel periods, improve connectivity between areas north and south of US-101, reduce congestion associated with new development, and establish a role for employers in managing peak travel demand. Alternative transportation modes, including bicycles, walking, transit, and rail, are a major emphasis.
- **Maintaining Service Levels.** Providing and maintaining adequate public services and facilities to meet future needs of residents and businesses in all areas of the community are emphasized.
- **Protecting Health and Safety.** The plan strives to maintain healthful environments that minimize exposure to health and safety hazards, including hazardous materials, flooding, geological hazards, and excessive noise. The plan also seeks to ensure that industrial development is compatible with adjacent neighborhoods.
- **Maintaining Economic Health.** The plan supports a sustainable economy—one that is not based on continuous growth but on increasing economic prosperity and well being. It strives

to achieve fiscal balance in terms of the costs of future municipal services and capital facilities and the ability of the City to pay for them.

- **Enhancing Goleta Old Town—the Community’s Historic Center.** The plan acknowledges the importance of conserving the unique character of Goleta Old Town (Old Town); its approach includes reusing existing structures and facilities and adapting them to respond to changing needs.

Community Subareas

Because many residents have concerns about their particular neighborhood, the following provides an overview of the plan as it applies to eight individual subareas of the community, as shown in Figure 1-2.

Old Town

The Old Town area is recognized as a unique asset and the historic center of Goleta. Future development and redevelopment actions are required to respect the current diversity of uses while maintaining Old Town’s small-town character. Revitalization efforts are directed toward enhancing the physical and economic environment, improving the pedestrian experience, and managing traffic, while minimizing impacts on residential areas.

Central Area

This area, which includes extensive tracts of vacant land, will be the location of much of the future growth and change within the city. For the creation of new neighborhoods in this area, the plan emphasizes well-designed housing projects that include services to support a quality residential environment, such as parks and recreation areas, along with small-scale commercial uses that would serve the needs of employees and residents in the immediate area. Regional commercial uses are limited to existing centers such as the Camino Real Marketplace, while new business park and other development is accommodated at several locations. Alternative transportation modes such as transit, biking, and walking are emphasized in order to minimize impacts on surrounding residential areas and to manage traffic.



Hollister Avenue Business in Old Town

Southwest Residential Community

The plan emphasizes conservation of existing residential neighborhoods of various densities and maintenance of both ownership and rental housing. Opportunities for new residential development are limited, while the more common alteration and remodeling of existing residences is managed to ensure compatibility in terms of size, bulk, and scale with the surrounding neighborhood. The plan prevents intrusion of uses that would be detrimental to the preservation of the existing character of the neighborhoods, including nonresidential and other uses that generate substantial traffic. Scenic views of adjacent open space areas are protected.

Coastal Resource Area

The coastal resource area includes Goleta's entire Pacific shoreline and its only coastal resort, as well as open lands and resources such as Santa Barbara Shores Park and the Sperling Preserve. These open space areas are recognized as essential to the community's overall attractiveness and quality of life. The area's significant environmental values and resources are protected and preserved in a natural condition. Appropriate locations for active and passive recreation, including public access and coastal-dependent recreation, are identified. Encroachment of uses that would compromise the integrity of this area is prohibited. Measures to preserve scenic coastal views are included.

Northwest Residential Community

This area includes existing residential neighborhoods that are predominately low-density. New residential development and/or substantial alterations to existing residences are required to be compatible with the surrounding neighborhood in terms of size, bulk, and scale. The plan restricts intrusion of uses that would be detrimental to the preservation of the existing character of the neighborhoods, including nonresidential and other uses that generate substantial traffic. Scenic views of adjacent open spaces, the ocean, and agricultural lands are protected.



View of the Residential Neighborhood at Cathedral Oaks Road and Fairview Avenue

Central Resource Area

The central resource area includes open lands, such as the Lake Los Carneros Natural and Historical Preserve, that are essential to the overall quality of life in Goleta. Lands currently used for agriculture or suitable for this use are protected and preserved. Areas with significant environmental values and/or resources are required to be maintained in a natural condition. Encroachment of uses that would compromise the existing integrity of this area is prohibited.

Northeast Residential Community

This area extends into the foothills and includes predominantly low-density residential neighborhoods as well as Fairview Gardens, the primary example of community-supported agriculture within the City. New residential development and/or substantial alterations to existing residences are required to be compatible with the surrounding neighborhood in terms of size, bulk, and scale. The plan restricts intrusion of uses that would be detrimental to the preservation of the existing character of the neighborhoods, including nonresidential and other uses that generate substantial traffic. Lands suitable for agriculture are protected and preserved.

Northeast Community Center

Future uses in this area, which includes the Calle Real and Fairview Shopping Centers, are intended to support the daily commercial needs of the local residential community through a diverse range of commercial services and uses that do not attract significant traffic volumes

from outside the Goleta Valley. The plan requires attractive and functional site design that will promote walking and linkages to other activity centers. New residential development is encouraged in this area, provided it is compatible with the existing commercial environment.

1.5 COMBINED GENERAL PLAN AND COASTAL LAND USE PLAN (GP/CP)

The California Coastal Act (California Public Resources Code Sections 30000 et seq.) was enacted by the state legislature in 1976 to provide long-term protection of California's 1,100-mile coastline for the benefit of current and future generations. The California Coastal Commission, in partnership with coastal cities and counties, plans and regulates the use of land and water in the coastal zone. Development activities, which are very broadly defined by the Coastal Act, generally require a coastal development permit from either the California Coastal Commission or the local government. The Coastal Act requires local governments in the California Coastal Zone to create and implement Local Coastal Programs (LCPs). Each LCP consists of a Coastal Land Use Plan and a Regulatory Plan (zoning). LCPs are required to incorporate policies that address the following:

- Protection and expansion of public access to the shoreline and recreational opportunities and resources, including commercial visitor-serving facilities.
- Protection, enhancement, and restoration of environmentally sensitive habitats, including intertidal and near-shore waters, wetlands, bays and estuaries, riparian habitats, certain woodlands and grasslands, streams, lakes, and habitats for rare or endangered plants or animals.
- Protection of agricultural lands, commercial fisheries, and archaeological resources.
- Protection of the scenic beauty of coastal landscapes and seascapes.
- Establishment of urban/rural boundaries and directing new housing and other development into areas with adequate services to avoid wasteful sprawl.
- Provision, in an environmentally sound manner, for coastal-dependent industrial uses.
- Protection of persons and property from coastal hazards.

In addition to serving as Goleta's General Plan, this document has been prepared to serve, upon certification by the California Coastal Commission, as the Coastal Land Use Plan portion of Goleta's LCP pursuant to the California Coastal Act. The Coastal Land Use Plan applies only to land and water areas that are situated within the California Coastal Zone, which encompasses approximately one-fifth of the city's total land area. Figure 1-3 shows the coastal zone jurisdiction.

All figures in the plan show the location of the coastal zone boundary and thus the areas that are subject to the Coastal Land Use Plan policies. The text of the plan, including informational sections as well as policies, distinguishes portions that are General Plan only as [GP], portions that are Coastal Land Use Plan only as [CP], and portions that are both General Plan and Coastal Land Use Plan provisions as [GP/CP]. This convention allows for variation in the content or detail of policies between coastal and inland areas when appropriate. Only those provisions that are designated [CP] and [GP/CP] are intended to be certified by the California Coastal Commission. Future amendments to these provisions will also be subject to certification by the commission. Upon certification of the complete LCP, including the Coastal Land Use Plan and zoning, the City will assume decision-making authority for coastal development

permits in its coastal zone, except for any areas of retained jurisdiction by the California Coastal Commission, such as submerged lands, tidelands, other public trust lands, or state universities.

1.6 PUBLIC PARTICIPATION IN CREATING THE PLAN (GP/CP)

This plan strives to create a coherent vision for Goleta that is responsive to the individual visions of a diverse population that sometimes has conflicting aspirations for the City's future. The Goleta General Plan/Coastal Land Use Plan was developed over a 3-year period beginning in March 2003. The plan is the product of a public outreach effort that involved hundreds of residents, various public agencies, and other interested parties. This effort included a total of six different series of public workshops with 23 separate workshop meetings that were attended by more than 1,100 persons. The process of creating the draft plan also included more than 50 meetings of the Goleta Planning Agency, which provided direction and oversight for preparing the plan. Public comments and suggestions were welcomed at all Goleta Planning Agency meetings during a period from July 2003 through February 2006. During this period, numerous revisions and refinements were made to the draft plan in response to public comments.

State law requires local governments to "make a diligent effort to achieve public participation of all economic segments of the community in the development of the General Plan (particularly the housing element), and the program shall describe this effort" (Section 65583 (c)(5) of the Government Code). To that end, the City created several venues for residents, interested parties, and agencies to provide comments and suggestions.

Community Workshops

Examples of the City's public outreach efforts for the workshop series included the following:

- Mailing of notification brochures, in both English and Spanish, to every residential and business address in the city (for a



Public Participation at a Housing Element Workshop in August 2005

Community Workshops

March 2003 to August 2005
Six-workshop series with 23 different meetings
1,115 total attendees

- *Designing Goleta's Future*
 - o March 2003
 - o Five different weekday (afternoon and evening) and Saturday (morning) meetings
 - o 213 total attendees
- *Planning Issues and Creating Alternatives*
 - o November 2003
 - o Five different weekday (afternoon and evening) and Saturday (morning) meetings
 - o 200 total attendees
- *General Plan Background Information*
 - o June 2004
 - o One Saturday morning meeting
 - o 22 total attendees
- *Alternatives and Choices*
 - o June and July 2004
 - o Five different weekday (afternoon and evening) and Saturday (morning) meetings
 - o 212 total attendees
- *Shaping the Future*
 - o January 2005
 - o Five different weekday (afternoon and evening) and Saturday (morning) meetings
 - o 367 total attendees
- *Housing Issues and Strategies*
 - o August 2005
 - o Two different evening meetings
 - o 101 total attendees

total of more than 12,500 addresses), as well as placing the brochures at several public locations.

- Publication of announcements in up to three different local newspapers.
- Inclusion of announcements in several local newsletters.
- Announcements on up to five different radio stations, including two Spanish language stations.
- Coverage by local television news, including the ABC affiliate and Univision, a leading Spanish-language station.
- Public service announcements on cable television government access channels.
- Posting on the City web site and distribution to a list-serve for interested persons.
- Mailing of announcements to a list of interested persons and organizations.
- Announcements at public meetings of City bodies, such as the City Council.

The six workshop series were organized as follows:

- **Designing Goleta's Future (March 2003).** This series of five workshop meetings, which included afternoon, evening, and Saturday sessions, was designed to introduce the community to the general plan process and to solicit views about the city's existing strengths and weaknesses in a "brainstorming" format, without evaluating the merits of individual likes and dislikes. This workshop series was attended by 213 persons.
- **Planning Issues and Creating Alternatives (November 2003).** This series of five workshops also included afternoon, evening, and Saturday sessions. This set of workshops looked at particular planning issues in more depth, with the objective of developing alternative plan scenarios. This workshop series was attended by 200 persons.
- **General Plan Background Information (June 2004).** This was a single workshop meeting on a Saturday. The intent was to provide an opportunity for the public to review and comment on the information and analysis in 24 general plan background reports, and to assess community needs and potential planning issues. This workshop was attended by 22 persons.
- **Alternatives and Choices (June and July 2004).** This series of five workshops included afternoon, evening, and Saturday sessions. This series was designed to provide opportunities for the public to comment on four different alternative plan scenarios, and to express opinions and preferences regarding various features of the alternatives. This workshop series was attended by 212 persons.
- **Shaping the Future (January 2005).** The purpose of this series of five workshops, which included afternoon, evening, and Saturday sessions, was to provide opportunities for the public to give comments and suggestions pertaining to a Preliminary Discussion Draft of the General Plan, which was released in early January 2005. This workshop series was attended by 367 persons.
- **Housing Issues and Strategies (August 2005).** The first of these two evening workshops was designed to elicit views regarding community housing needs, issues, priorities, and constraints. The purpose of the second workshop was to receive comments and suggestions regarding potential strategies and policies to address housing needs. These meetings included specific outreach to housing providers, the development community,

advocacy groups and non-profits, as well as the general community. These two workshops were attended by 101 persons.

The community input received at the last two series of workshops in 2005 was especially useful in preparing revised drafts of the various plan elements for review and direction by the Goleta Planning Agency.

Planning Agency Meetings

From 2003 through 2005, the Goleta Planning Agency held more than 50 meetings to address General Plan issues. Starting in the spring of 2005, the meetings, some of which were televised, focused on element-by-element review of revised drafts of the plan. Public comments and suggestions on the individual revised draft elements were welcomed at each meeting, and numerous changes were made based on direction provided by the Goleta Planning Agency after its consideration of public input. Following completion of this process in February 2006, the final draft of the Goleta General Plan/Coastal Land Use Plan was completed and released in March 2006, before the beginning of the formal public hearing process on the plan. More than 15 separate public hearing dates for joint meetings by the Goleta Planning Agency and the City Council were scheduled from April 2006 to July 2006 to receive public comments and consider the draft plan prior to final adoption.

1.7 IMPLEMENTING THE PLAN (GP/CP)

The Goleta General Plan/Coastal Land Use Plan is the City's official policy that guides decisions affecting future physical development and change within Goleta. The City Council, Planning Commission, City Boards, City administrative officials, Goleta residents, businesses, and other public agencies will help implement the plan. Plan policies are carried out through city ordinances, programs, annual budgets, and capital improvement programming, and through the participation of residents and community groups. A summary of future Implementation Actions, except for those identified in the Housing Element, is provided following Chapter 10. The timeframes identified for the various Implementation Actions are not mandatory, but are intended to assist in scheduling future work items. Actions by the City in many instances are required by law to be consistent with the plan. For example, the Goleta General Plan/Coastal Land Use Plan governs the City's decisions on all development proposals. The City also uses the plan as the basis for reviewing projects that may be before other jurisdictions that affect the city or Goleta Valley.



City of Goleta Staff, July 2005

The plan governs the regulation of land use and development through various codes or ordinances. These development codes include:

- **Zoning Code.** Zoning divides the lands within a city into districts, or zones, that specify allowable uses and development standards for real property located therein. While the plan

establishes the City's land use policy, the Zoning Code sets forth detailed standards and regulations for development activities in a manner consistent with the policies of the plan.

- **Subdivision Code.** This code regulates the subdivision of land or property into separate legal lots or airspaces. Because state law requires subdivisions to be consistent with the General Plan, this code incorporates regulations to help implement the plan.
- **Design Review Ordinance.** The Design Review Ordinance requires the comprehensive evaluations of development projects to consider site and landscape design, architectural design, materials, colors, lighting, and signs in accordance with adopted design criteria and standards.
- **Building Codes.** The various building codes provide standards that regulate the construction of buildings and other structures. While these are uniform codes, they must be applied to projects in the city in a manner consistent with the plan.

Based on the Goleta General Plan/Coastal Land Use Plan, the City will develop capital improvement programs that will set the priorities for the various projects identified in the plan. Finally, City departments will use the plan as guidance in setting work programs and in applying for grants to fund specific projects.

1.8 REVIEWING AND AMENDING THE GOLETA GENERAL PLAN/COASTAL LAND USE PLAN IN THE FUTURE

Long-range planning in Goleta does not end with the adoption of this document. It is important to continue the steps necessary to accomplish the vision of the Goleta General Plan/Coastal Land Use Plan. The plan is intended to be a living document, to be revised as necessary to respond to changing conditions or community values. State law requires an annual review and report to the City Council and to the Governor's Office of Planning and Research. At times, it may be appropriate to amend the plan as circumstances change. All proposed amendments require a public hearing by the Planning Commission and by the City Council and must receive a majority vote of the members to be approved. Proposed amendments that affect the Coastal Land Use Plan policies will also require a public hearing by the California Coastal Commission, and must be certified by that body prior to taking effect.

This page intentionally left blank

CONTENTS

	<u>Page</u>
ACKNOWLEDGMENTS	
PREFACE	
CHAPTER 1.0 INTRODUCTION AND OVERVIEW	1-1
1.1 REGIONAL AND LOCAL SETTING	1-1
1.2 GOLETA'S VISION: THE GOOD LAND	1-1
1.3 PURPOSE AND ORGANIZATION OF THE PLAN	1-3
1.4 OVERVIEW OF THE PLAN	1-6
1.5 COMBINED GENERAL PLAN AND COASTAL LAND USE PLAN	1-9
1.6 PUBLIC PARTICIPATION IN CREATING THE PLAN	1-10
1.7 IMPLEMENTING THE PLAN	1-12
1.8 REVIEWING AND AMENDING THE GOLETA GENERAL PLAN/ COASTAL LAND USE PLAN IN THE FUTURE	1-13
CHAPTER 2.0 LAND USE ELEMENT (LU)	2-1
2.1 INTRODUCTION	2-1
2.2 GUIDING PRINCIPLES AND GOALS	2-3
2.3 COASTAL ACT POLICIES	2-3
2.4 CITY POLICIES	2-4
Policy LU 1: Land Use Plan Map and General Policies	2-4
Policy LU 2: Residential Land Uses	2-8
Policy LU 3: Commercial Land Uses	2-12
Policy LU 4: Office and Industrial Uses	2-16
Policy LU 5: Public and Quasi-Public Land Uses	2-20
Policy LU 6: Park and Open Space Uses	2-20
Policy LU 7: Agriculture	2-22
Policy LU 8: Central Hollister Residential Development Area	2-23
Policy LU 9: Coastal-Dependent and -Related Uses (Key Pacific Shoreline Sites)	2-25
Policy LU 10: Energy-Related On- and Off-Shore Uses	2-28
Policy LU 11: Growth Management	2-33
Policy LU 12: Land Use In Goleta's Environs	2-33
2.5 IMPLEMENTATION ACTIONS	2-40
CHAPTER 3.0 OPEN SPACE ELEMENT: OPEN SPACE, RECREATION, AND COASTAL ACCESS (OS)	3-1
3.1 INTRODUCTION	3-1
3.2 GUIDING PRINCIPLES AND GOALS	3-3
3.3 COASTAL ACT POLICIES	3-4
3.4 CITY POLICIES	3-6
Policy OS 1: Lateral Shoreline Access	3-6
Policy OS 2: Vertical Access to the Shoreline	3-9
Policy OS 3: Coastal Access Routes, Parking, and Signage	3-12
Policy OS 4: Trails and Bikeways	3-13
Policy OS 5: Ellwood-Devereux Open Space Area	3-16
Policy OS 6: Public Park System Plan	3-20
Policy OS 7: Adoption of Open Space Plan Map	3-28
Policy OS 8: Protection of Native American and Paleontological Resources	3-31
Policy OS 9: Financing Public Parks, Open Space, and Recreation Facilities	3-33

3.5 IMPLEMENTATION ACTIONS 3-34

CHAPTER 4.0 CONSERVATION ELEMENT: LAND, MARINE, AND AIR RESOURCES (CE) 4-1

4.1 INTRODUCTION 4-1

4.2 GUIDING PRINCIPLES AND GOALS 4-4

4.3 COASTAL ACT POLICIES 4-5

4.4 CITY POLICIES 4-8

 Policy CE 1: Environmentally Sensitive Habitat Area Designations and Policy 4-8

 Policy CE 2: Protection of Creeks and Riparian Areas 4-13

 Policy CE 3: Protection of Wetlands 4-15

 Policy CE 4: Protection of Monarch Butterfly Habitat Areas 4-18

 Policy CE 5: Protection of Other Terrestrial Habitat Areas 4-20

 Policy CE 6: Protection of Marine Habitat Areas 4-22

 Policy CE 7: Protection of Beach and Shoreline Habitats 4-23

 Policy CE 8: Protection of Special-Status Species 4-24

 Policy CE 9: Protection of Native Woodlands 4-26

 Policy CE 10: Watershed Management and Water Quality 4-27

 Policy CE 11: Preservation of Agricultural Lands 4-29

 Policy CE 12: Protection of Air Quality 4-30

 Policy CE 13: Energy Conservation 4-32

 Policy CE 14: Preservation and Enhancement of Urban Forest 4-34

 Policy CE 15: Water Conservation and Materials Recycling 4-35

4.5 IMPLEMENTATION ACTIONS 4-36

CHAPTER 5.0 SAFETY ELEMENT: COASTAL AND OTHER HAZARDS (SE)..... 5-1

5.1 INTRODUCTION 5-1

5.2 GUIDING PRINCIPLES AND GOALS 5-7

5.3 COASTAL ACT POLICIES 5-8

5.4 CITY POLICIES 5-12

 Policy SE 1: Safety in General 5-12

 Policy SE 2: Bluff Erosion and Retreat 5-13

 Policy SE 3: Beach Erosion and Shoreline Hazards 5-15

 Policy SE 4: Seismic and Seismically Induced Hazards 5-17

 Policy SE 5: Soil and Slope Stability Hazards 5-19

 Policy SE 6: Flood Hazards 5-20

 Policy SE 7: Urban and Wildland Fire Hazards 5-22

 Policy SE 8: Oil and Gas Industry Hazards 5-23

 Policy SE 9: Airport-Related Hazards 5-26

 Policy SE 10: Hazardous Materials and Facilities 5-27

 Policy SE 11: Emergency Preparedness 5-29

5.5 IMPLEMENTATION ACTIONS 5-29

CHAPTER 6.0 VISUAL AND HISTORIC RESOURCES ELEMENT (VH)..... 6-1

6.1 INTRODUCTION 6-1

6.2 GUIDING PRINCIPLES AND GOALS 6-2

6.3 COASTAL ACT POLICIES 6-3

6.4 CITY POLICIES 6-3

 Policy VH 1: Scenic Views 6-3

 Policy VH 2: Local Scenic Corridors 6-6

 Policy VH 3: Community Character 6-8

 Policy VH 4: Design Review 6-9

 Policy VH 5: Historic Resources 6-17

Policy VH 6: Historical and Cultural Landscapes 6-22

6.5 IMPLEMENTATION ACTIONS 6-22

CHAPTER 7.0 TRANSPORTATION ELEMENT (TE)..... 7-1

7.1 INTRODUCTION 7-1

7.2 GUIDING PRINCIPLES AND GOALS 7-7

7.3 COASTAL ACT POLICIES 7-7

7.4 CITY POLICIES 7-8

Policy TE 1: Integrated Multi-Modal Transportation System..... 7-8

Policy TE 2: Transportation Demand Management..... 7-9

Policy TE 3: Streets and Highways Plan and Standards 7-11

Policy TE 4: Target Level of Service Standards 7-16

Policy TE 5: Planned Street and Road Improvements..... 7-18

Policy TE 6: Street Design and Streetscape Character 7-21

Policy TE 7: Public Transit (Bus Transportation) 7-23

Policy TE 8: Rail Transportation 7-26

Policy TE 9: Parking 7-27

Policy TE 10: Pedestrian Circulation 7-29

Policy TE 11: Bikeways Plan 7-31

Policy TE 12: Transportation Systems Management..... 7-32

Policy TE 13: Mitigating Traffic Impacts of Development..... 7-34

Policy TE 14: Financing Transportation Improvements 7-35

Policy TE 15: Regional Transportation 7-36

7.5 IMPLEMENTATION ACTIONS 7-38

CHAPTER 8.0 PUBLIC FACILITIES ELEMENT (PF)..... 8-1

8.1 INTRODUCTION 8-1

8.2 GUIDING PRINCIPLES AND GOALS 8-5

8.3 COASTAL ACT POLICIES 8-6

8.4 CITY POLICIES 8-7

Policy PF 1: Development of a Civic Center 8-7

Policy PF 2: Other Facilities of the City of Goleta 8-8

Policy PF 3: Public Safety Services and Facilities 8-9

Policy PF 4: Water and Sewer Facilities 8-12

Policy PF 5: School Facilities 8-15

Policy PF 6: Utilities 8-16

Policy PF 7: Coordinating Facilities and Services with Other Agencies 8-17

Policy PF 8: General Standards for Public Facilities 8-18

Policy PF 9: Coordination of Facilities with Future Development 8-19

Policy PF 10: Financing Public Facilities 8-21

8.5 IMPLEMENTATION ACTIONS 8-23

CHAPTER 9.0 NOISE ELEMENT (NE)..... 9-1

9.1 INTRODUCTION 9-1

9.2 GUIDING PRINCIPLES AND GOALS 9-7

9.3 CITY POLICIES 9-8

Policy NE 1: Noise and Land Use Compatibility Standards 9-8

Policy NE 2: Traffic Noise Sources 9-10

Policy NE 3: Airport Noise..... 9-11

Policy NE 4: Railway Noise..... 9-12

Policy NE 5: Industrial and Other Point Sources..... 9-13

Policy NE 6: Single-Event and Nuisance Noise 9-14

Policy NE 7: Design Criteria to Attenuate Noise 9-15

9.4 IMPLEMENTATION ACTIONS 9-16

CHAPTER 10.0 HOUSING ELEMENT (HE) 10-1

10.1 INTRODUCTION 10-1

10.2 FRAMEWORK FOR ACTION 10-5

10.3 CITY POLICIES AND IMPLEMENTATION PROGRAMS 10-8

 Policy HE 1: Equal Housing Opportunities..... 10-8

 Policy HE 2: Effective Implementation and Housing Partnerships 10-9

 Policy HE 3: Linkage of Housing and Jobs 10-11

 Policy HE 4: Variety of Housing Choices and Affordable Housing Opportunities..... 10-13

 Policy HE 5: Special Needs Housing and Support Programs 10-16

 Policy HE 6: Adequate Sites to Meet Goleta’s RHNA..... 10-19

 Policy HE 7: Opportunities for Mixed-Use Housing 10-23

 Policy HE 8: Preservation of Existing Housing and Neighborhoods 10-24

 Policy HE 9: Excellence in New Housing Design 10-27

 Policy HE 10: Production of New Affordable Housing 10-29

 Policy HE 11: Inclusion of Very Low-, Low-, and Moderate-Income Housing in New
Development 10-32

 Policy HE 12: Funding for Affordable Housing 10-35

10.4 SUMMARY OF IMPLEMENTATION PROGRAMS 10-37

CHAPTER 10A HOUSING ELEMENT TECHNICAL APPENDIX

SUMMARY OF IMPLEMENTATION ACTIONS

GLOSSARY AND REFERENCES

RESOLUTIONS ADOPTING THE PLAN

RESOLUTION PA 06-10: A RESOLUTION OF THE PLANNING AGENCY OF THE CITY OF
GOLETA, CALIFORNIA RECOMMENDING TO THE CITY COUNCIL APPROVAL OF THE
GOLETA GENERAL PLAN/COASTAL LAND USE PLAN, INCLUDING CERTAIN REVISIONS

RESOLUTION CC 06-38: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
GOLETA, CALIFORNIA ADOPTING THE GOLETA GENERAL PLAN/COASTAL LAND USE
PLAN, INCLUDING CERTAIN REVISIONS

TABLES

<u>Table</u>	<u>Page</u>
2-1 Allowable Uses and Standards for Residential Use Categories.....	2-9
2-2 Allowable Uses and Standards for Commercial Use Categories	2-13
2-3 Allowable Uses and Standards for Office and Industrial Use Categories.....	2-17
2-4 Allowable Uses and Standards for Other Land Use Categories.....	2-21
3-1 Existing and Planned Parks and Open Space Areas	3-22
4-1 Potentially Occurring Special-Status Species	4-3
4-2 Examples of Environmentally Sensitive Habitats	4-9
6-1 List of Historic Resources	6-18
7-1 Existing and Projected Future LOS at Selected Intersections.....	7-4
7-2 Existing and Projected Roadway Segment Capacity Evaluations.....	7-6
7-3 Level of Service and V/C Ratio Descriptions.....	7-17
7-4 Major Planned Street and Highway Improvement Projects.....	7-19
8-1 Fire Station Service Characteristics, 2005	8-3
9-1 Field Noise Measurements at Noise Sensitive Locations	9-6
9-2 Noise and Land Use Compatibility Criteria	9-9
10-1 Summary of Remaining Regional Housing Need (2006 to 2009).....	10-4
10-2 Summary of Housing Unit Potential in Goleta (2006 to 2009).....	10-5
10-3 Quantified Housing Objectives (2001 to 2009).....	10-7
10-4 Summary of Implementation Programs.....	10-38

FIGURES

<u>Figure</u>	<u>Follows Page</u>
1-1 Vicinity Map.....	1-2
1-2 Community Sub-Areas Map.....	1-8
1-3 Coastal Zone Boundary	1-10
2-1 Land Use Plan Map	2-4
2-2 Pacific Shoreline Sites	2-26
2-3 Goleta Planning Area.....	2-34
2-4 Potential City of Goleta Service Areas	2-36
3-1 Coastal Access Map	3-6
3-2 Park and Recreation Plan Map	3-14
3-3 Ellwood-Devereux Open Space Area Coastal Access and Recreational Plan.....	3-16
3-4 Ellwood-Devereux Open Space Area Habitat Protection and Enhancement Plan	3-20
3-5 Open Space Plan Map	3-28
4-1 Special-Status Species and Environmentally Sensitive Habitat Areas.....	4-8
5-1 Geologic Hazards Map	5-2
5-2 Fire, Flood, and Tsunami Hazards Map.....	5-4
5-3 Other Hazards.....	5-6
6-1 Scenic and Visual Resources	6-4
6-2 Historic Resources.....	6-20
7-1 Existing and Projected Future Traffic Volumes and Intersection LOS.....	7-6
7-2 Functional Street Classification and Key Intersections	7-12
7-3 Transportation Improvement Plan Map.....	7-18
7-4 Public Transportation System	7-24
7-5 Pedestrian System Plan.....	7-30
7-6 Bikeways Plan Map.....	7-32
8-1 Public Facilities Map	8-10
9-1 Existing (2005) Noise Contours—Roadways	9-4
9-2 Existing (2003) Noise Contours—Airport and Railroad	9-4
9-3 Future Noise Contours—Roadways (2030)	9-6
9-4 Future Noise Contours—Airport (2025) and Railroad (2030).....	9-6