

Rancho Estates Mobile Home
Park Fire Improvements Project

APPENDIX



RESPONSES TO COMMENTS
ON DRAFT EIR

APPENDIX I RESPONSES TO COMMENTS ON THE DRAFT EIR

This appendix includes responses to the substantive comments on the Draft EIR that were raised during the public review period, either verbally at the environmental hearing held on November 9, 2016 or in writing. Each comment was assigned a number and included in Appendix H, and corresponding responses are provided in this appendix. A number of commenters raised similar issues related to the potential for restoration along Devereux Creek, the difference between policy impacts and physical impacts on the environment, the need for the Project, Alternative 2 implementation, the car wash area, the purpose of the emergency access road, and the potential for increased nuisances as a result of the emergency access road. Rather than repeating similar responses for each comment, these issues are addressed by seven “master responses,” which are included in Section I.1 through I.7. These are followed by Table I-1, which includes individual responses to each of the other comments. Where a comment is addressed by a master response, this is noted in the table.

I.1 MASTER RESPONSE 1 – RESTORATION

A number of commenters showed interest in having the City implement management and restoration activities along Devereux Creek in the Project area and raised concerns that the Project would preclude such restoration. The Audubon Society expressed willingness to work with the City in the future to plan and seek funding for habitat enhancements in this reach of Devereux Creek.

Restoration of the Devereux Creek corridor is not the subject of this EIR; rather it would be a separate project that would require separate approvals, and the potential for future restoration to occur is speculative. The Project would not preclude such future restoration, however. All but one of the trees to be removed are in a linear row along the top edge of the concrete north bank of Devereux Creek. These trees do not extend the entire length of the proposed approximately 500-foot-long access road. Four of the willows and the oaks are located within an approximately 90-foot length, and the other willow is isolated, located about 100 feet to the east. The one sycamore tree to be removed is isolated between the existing trail and the housing fence line. Thus, only a small portion of the Project site would be affected, and restoration could occur elsewhere in the Project area, including along the south side of Devereux Creek and within the creek bed.

Regardless of the small area affected, this impact was identified as significant but mitigable to less than significant (Class II) (refer to Impact BIO-2 in Section 4.2.3 of the Draft EIR), and the EIR contains a mitigation measure (MM BIO-4) that includes measures that would enhance the existing riparian habitat. A partial list includes:

- Removal of all nonnative trees, except eucalyptus trees, from the City and Rancho Estates properties within 100 feet of Devereux Creek top of bank. This can be done incrementally over time if needed to reduce habitat impacts. Nonnative vegetation removed will be replaced with native species as described below to replace native trees lost and to improve wildlife habitat.
- A description of the goals of the mitigation plan, including minimum replacement ratios for native trees 2 inches diameter at breast height or larger that will be removed for construction of the emergency access road. Replacement trees will be planted in the Devereux Creek corridor on the City-owned parcel and/or the Rancho Estates parcel.

- Additional native trees are to be planted to replace habitat removed when nonnative species are removed from the habitat. These can be any native tree appropriate to the site, including coast live oak, arroyo willow, and western sycamore.

Thus, the Project would not preclude future restoration, and the segment of Devereux Creek at the Project site would ultimately be at least partially enhanced as a result of the Project through replacement of nonnative trees with native trees.

I.2 MASTER RESPONSE 2 – POLICY IMPACTS VS. PHYSICAL IMPACTS

A number of commenters referred to what they perceived as apparent inconsistencies between the Class I (significant unavoidable) impacts identified in Impact BIO-5 regarding policy inconsistencies and other impacts on biological resources protected by these policies, which were all Class II (significant but mitigable to less than significant).

The Draft EIR conclusions are not inconsistent, however; they comply with both CEQA and City of Goleta guidance. Both the CEQA Guidelines and the City of Goleta's Environmental Thresholds and Guidelines Manual include criteria regarding conflicts with environmental plans and policies (Items 5 and 7 in Section 4.2.3.1 and Item 2 in Section 4.6.3.1 of the Draft EIR). As discussed in Section 4.2.3 of the Draft EIR under Impact BIO-5 and in Section 4.6.3 under Impact LU-1, a number of policy conflicts would result from implementation of the Project. In accordance with Criteria 5 and 7, these generally are identified as Class I impacts because the analysis concluded that no mitigation measures would be able to bring the Project into compliance with these policies. (An exception was made where the language of the policy provides for an exception if the City Council determines that alternative Project siting within the property that would maintain the 100-foot Streamside Protection Area (SPA) buffer is not feasible. If this occurred, the emergency access road and fire line as proposed would result in a less than significant [Class III] impact because they would not conflict with a local policy protecting biological resources).

The thresholds of significance included in the Biological Resources section (Section 4.2.3.1) also address other issues, however, such as whether the Project would have a substantial adverse effect on candidate, sensitive, or special-status species, or have a substantial adverse effect on any riparian habitat or federally protected wetlands. Thus, the Draft EIR also evaluates these physical impacts, which are not the same as policy conflicts. In evaluating the physical impacts, the analysis takes a number of factors into consideration, such as the existing conditions; Project-specific factors, such as location and duration of construction; construction methods; and the amount and type of vegetation that would be altered.

For example, a significant unavoidable policy conflict was identified because Project construction would occur within the buffer for monarch butterfly Environmentally Sensitive Habitat Area (ESHA), and such uses are not allowed. Given the Project's proposed configuration, relocating the Project outside the ESHA is not feasible; therefore, the impact was identified as Class I. Physical impacts on monarch butterflies were addressed under Impact BIO-1, which concluded that monarch butterflies are not expected to be adversely affected by construction and operation of the emergency fire access road and water line because no aggregation habitat would be lost or disturbed, and noise from construction activities would be of short duration, especially where closest to the buffer for Ellwood East, which is over 200 feet from the construction area. The analysis further concluded that the removal of a few trees and shrubs along the north bank of Devereux Creek would not adversely affect the species because ample habitat is present nearby. Therefore, this impact is less than significant (Class III).

Thus, it is clearly possible to have a Class I impact associated with a policy conflict, but a Class II or Class III impact associated with an impact on biological resources based on the determination regarding whether the actual impact on the resource would be substantial.

I.3 MASTER RESPONSE 3 – NEED FOR THE PROJECT

A number of commenters questioned the need for the Project and noted that the City should not allow public land to be used for private gain, suggesting that the proposed fire improvements can be done on the applicant's property. Others indicated that the proposed improvements are not needed, and that access is currently adequate.

As discussed in Section 1.2 of the Draft EIR, through discussion with the Fire Department, the Development Agreement between the City of Goleta and the mobile home park owner included an agreement that, subject to City approval, the applicant apply and obtain approvals for various fire safety-related public improvements to Rancho Estates. The Project is not for private gain or to facilitate commercial development; rather, it is to correct a life safety deficiency that was identified by the Fire Department as part of the Development Agreement for the subdivision project. The 2013 California Fire Code § 503.1.2 allows the fire code official to require "additional access" when impairment of a single road is a concern. Currently, the Fire Department only has access through one access point at the mobile home park (off of Hollister Avenue). Should a fire occur near Hollister Avenue, the Fire Department would not have access to the rest of the mobile home park. Thus, secondary access outside the boundaries of the mobile home park was requested.

Fire Code § 593.2.1 specifies that fire apparatus roads shall have an unobstructed width of not less than 20 feet, exclusive of shoulders, except for approved security gates, and an unobstructed vertical clearance of not less than 13 feet 6 inches. The current trail does not meet these requirements. The Fire Department also requested improvements to fire hydrants and lines because the existing hydrants and lines are substandard and there are not enough in the mobile home park to meet current requirements.

Publicly owned property is commonly used for safety improvements and other public infrastructure. For example, Goleta West Sanitary District and Santa Barbara County Flood Control District currently have easements for ingress and egress and for maintenance and flood control and drainage purposes respectively, in the location of the proposed fire road as discussed in Section 2.2 of the Draft EIR.

I.4 MASTER RESPONSE 4 – ALTERNATIVE 2 IMPLEMENTATION

A number of commenters expressed concerns about how Alternative 2 would be implemented, including whether it would be gated, how relocation of the residents of the two mobile homes that would be removed would be implemented, and how taking emergency access from Sea Gull Drive would affect traffic, parking, and theft.

The text in EIR Sections 1.7.2 and 6.2.2 has been clarified to indicate that the access would be gated, as it would be under the Project. Thus, this road would only be accessible to emergency vehicles, and no through traffic would be able to pass between the mobile home and residential neighborhood near Sea Gull Drive. The area at the current end of Sea Gull Drive could continue to be used for play. No parking spaces would be removed at the mobile home park under this alternative; therefore, no increased demand for parking would occur. It is possible that some mobile home park residents may find it easier to park along Sea Gull Drive or the nearby streets and walk into the mobile home park, but these are public streets and as such are available to all

members of the public. Concerns about increased theft due to the emergency access road are speculative. The City of Goleta would have no role in relocating the displaced residents of the two mobile homes that would be removed. This process would be solely between the residents and the owner of the mobile home park and would be subject to the existing contractual agreements.

Based on commenters' concerns about Alternative 2, however, the Final EIR evaluates a variation of this alternative that eliminates the emergency access from Sea Gull Drive. Thus, Alternative 2 is now referred to as Alternative 2a in the Final EIR, and the new variation is referred to as Alternative 2b. The impacts of Alternative 2b are addressed in EIR Section 6.2.3. As discussed in Section 6.3, Alternative 2a remains the environmentally superior alternative because it is the only alternative that would reduce significant impacts of the Project while meeting Project objectives.

I.5 MASTER RESPONSE 5 – CAR WASH AREA

A number of commenters addressed the currently unpermitted car wash area, indicating that this use should not be allowed given the current drought and that mobile home residents should be required go to commercial car wash facilities. Others questioned why the City has allowed an unpermitted car wash to exist. Other comments indicated uncertainty regarding whether the car wash is unpermitted. After the Draft EIR was released, however, the applicant removed the car wash facilities as a result of Regional Water Quality Control Board actions. The applicant also has chosen to remove the car wash area from the proposal, and the area will no longer be used for this purpose.

I.6 MASTER RESPONSE 6 – PURPOSE OF THE EMERGENCY ACCESS ROAD

A number of commenters expressed concern about the potential for other uses of the emergency access road, including as a public transportation route, driveway for the mobile home park, access road for workers, or to serve development at the south end of the mobile home park.

The types of allowed uses are described in the Draft EIR. Section 2.2 of the Draft EIR specifies that the Project would: “Retain the pipe gates on the west end of the emergency access road, near Coronado Drive, and on the east end, near the hammerhead turnaround, so that vehicular access would be limited to use by the Fire Department during emergencies. Access also would continue to be available to the Goleta West Sanitary District and Santa Barbara County Flood Control District in accordance with the terms of their existing easements for ingress and egress and for maintenance and flood control and drainage purposes, respectively. Additionally, the area would continue to be accessible to pedestrians and bicyclists.”

Section 7.1 of the Draft EIR states: “The emergency access road would not extend public access to a new area, nor would it extend or lead to the extension of any existing public roads. Per the City of Goleta General Plan/Coastal Land Use Plan (GP/CLUP), no planned public street or road improvements are within or in the vicinity of the Project site that would be affected. The proposed road would connect two fully developed areas, and its only purpose would be to allow emergency access by the Fire Department.”

Thus, no other uses for the road are contemplated. No development is planned for the south end of the mobile home park, most of which is classified as monarch butterfly ESHA (Refer to Section 4.2.1.1 of the Draft EIR, under *Environmentally Sensitive Habitat*), which would limit the potential for development of this area. Note also that the emergency access road would have a gravel surface and does not meet City of Goleta standards for a typical street.

I.7 MASTER RESPONSE 7 – POTENTIAL FOR INCREASED NUISANCES

A number of commenters expressed concern that the emergency access road would cause an increase in nuisances, such as graffiti, homeless encampments, trash, fecal contamination of Devereux Creek, criminal activity, joy riders, and traffic and congestion. Some requested mitigation to be provided for such impacts.

The commenters, however, provide no support for the assertions that the emergency access road and retaining wall would increase the problems listed above. The site of the proposed emergency access road already includes a trail that is used by pedestrians and bicyclists, and there is nothing inherent in widening this small segment to 20 feet that would be expected to encourage loitering or increase visitation, trash, homeless encampments, criminal activity, noise, or access to the nearby open space areas. Joy riders would not have access to this small section of road because it would be gated at both ends. The design of the wall also is not conducive to graffiti. The height of the wall would range from 1 foot to a maximum of only 3 feet. It also would consist of stacked blocks and would provide a continuous surface. If graffiti were to occur, the property owner/mobile home park would be responsible for maintaining the wall and graffiti removal. Because no impacts would occur, no mitigation is required.

Table I-1 Responses to Comments on the Draft EIR

Commenter	Letter #	Comment #	Response
California Coastal Commission	1	1-1	The text of Section 4.2, Biological Resources, and Section 4.6, Land Use, has been modified to include a discussion of the relevant portions of the California Coastal Act.
		1-2	Please refer to Response 1-1. Additionally, Section 6.2.2 of the Draft EIR includes a discussion of Alternative 2, which would avoid development within Environmentally Sensitive Habitat Area (ESHA) and within 100 feet of ESHA; the EIR concludes that this is the environmentally superior alternative.
		1-3	It appears that the comment is referring to Figure 4.2-2, which includes layers from the City’s Environmentally Sensitive Habitat mapping. This information is at a relatively coarse scale, often based on aerial photography, and is dated. The descriptive information regarding wetlands and the vegetation map prepared for the Project, Figure 4.2-1, is based on field investigation, is more recent, and is accurate. The text describing Figure 4.2-2 has been edited to make this clearer. The mapped riparian/marsh/vernal habitat was thus determined to be incorrect, and therefore removal of material in this area would not directly affect state wetlands. Detailed mapping of wetlands is outside the scope of the EIR and not necessary to determine the impacts as described in the EIR and above.
California Department of Fish and Wildlife	2	2-1	MM-BIO-3 has been modified to further protect plants and habitat that must be avoided during construction.
		2-2	The cumulative impacts discussion in Section 4.2.4 of the Draft EIR acknowledges that “Special-status plant and wildlife species in the region have experienced declines due to past development, a significant cumulative impact. If they were present in the construction area, the Project’s contribution to this impact would be cumulatively considerable (a significant but mitigable to less than significant (Class II) impact).” Therefore, the Draft EIR is consistent with the comment that the cumulative impact on tarplant may be significant. The “grassy field” would likely provide comparable habitat to the Project site if southern tarplant and Davidson’s salt scale were to occur on the Project site, because the Project site is also a disturbed site dominated by nonnative grasses and herbs. However, additional clarification has been added to MM BIO-2 to ensure that any site selected for mitigation of special-status species would be suitable to supporting the species, including identification of a reference site.
		2-3	Please refer to Response 2-2.

Commenter	Letter #	Comment #	Response
		2-4	<p>The Draft EIR requires replanting of these species if they occur on site (MM BIO-2). This measure includes harvesting seeds from existing plants and replanting them in a nearby area, tentatively identified as the grassy field already owned by the Project applicant east of the hammerhead, which is on the Project site outlined in Figure 4.2-1.</p>
		2-5	<p>The Draft EIR Section 4.2.4 acknowledges that if these species were present on site during construction that the cumulative impact would be significant.</p> <p>The commenter states that both plant species are state-listed as rare, but the California Department of Fish and Wildlife (CDFW) list of state- and federally listed plants of California does not include these species. As stated in the Draft EIR, they are California Rare Plant Rank 1B, as determined by the California Native Plant Society, and they meet the definition of rare or endangered under the California Environmental Quality Act (CEQA). However, they have not gone through the state listing process. Thus, the Draft EIR text has not been changed.</p> <p>As recommended in the comment, additional language has been added to MM BIO-2 to include identification of a reference site, assessment of the suitability of the mitigation site, a requirement that nonnative species would be removed, and protection in perpetuity.</p>
		2-6	<p>These recommendations have been included in MM BIO-2. However, the commenter indicates that the reference site must be where the species “flourish” and that both species must be present. Only species that are removed for the Project must be mitigated, and the mitigation site habitat only has to be similar or better to habitat removed by the Project; it does not have to be an ideal habitat that exceeds the quality of the habitat that is removed.</p>
		2-7	<p>This comment is noted. It is consistent with the Draft EIR, which identifies conflicts with City of Goleta policies and provides impact significance under Impact BIO-5.</p>
		2-8	<p>This comment is noted. The analysis of impacts resulting from removing screening vegetation on nesting birds has been expanded in Impact BIO-6. This analysis nevertheless resulted in the overall impact being less than significant.</p> <p>The loss of riparian vegetation is discussed in Section 4.2.3 of the Draft EIR under Impact BIO-2. As noted, approximately 0.04 acre of riparian habitat would be removed. Although the affected acreage is small, this impact was classified as significant but mitigable to less than significant (Class II) because it is considered a sensitive habitat by regulatory agencies. This impact would be mitigated through implementation of MM BIO-4, which includes preparation of a riparian habitat protection, replacement, and enhancement plan to be implemented within the Devereux Creek corridor and/or the</p>

Commenter	Letter #	Comment #	Response
			<p>mobile home park property. Replacement trees would not be planted in the exact same location as those that are removed, but they would be planted nearby, and additional enhancements would occur as well (e.g., nonnative trees would be removed, except eucalyptus, and would be replaced with native species).</p> <p>It also should be noted that all but one of the trees to be removed are in a linear row along the top edge of the concrete north bank of Devereux Creek and are not large trees. These trees do not extend the entire length of the proposed approximately 500-foot-long access road. Four of the willows and the oaks are located within an approximately 90-foot length, and the other willow is isolated, located about 100 feet to the east. The one sycamore tree to be removed is isolated between the existing trail and the housing fence line. For this reason, removal of this narrow band of habitat would not be a substantial change for wildlife as compared to the current condition. Because the trees are all along a corridor frequently used by walkers and bicyclists and are at the edge of the riparian corridor, their value for visual screening and nesting is less than that of trees inside the riparian corridor of the creek. In addition, the trees are not large, so provide minimal habitat and screening. This discussion on visual screening under Impact BIO-6 in Section 4.2.3 of the EIR was expanded to address the concern raised in the comment, but the impact is less than significant (Class III).</p> <p>Replacing the buffer with low-lying vegetation is analyzed along with the removal of the vegetation under Impact BIO-2. This impact was identified as significant, but mitigable to less than significant with implementation of MM BIO-4, which includes preparation of a riparian habitat protection, replacement, and enhancement plan. The comment provides no substantiation for the assertion that this impact is not sufficiently mitigated.</p> <p>The creek would not be exposed to new permanent disturbances that were not analyzed. The only new permanent disturbance is the removal of vegetation, which was addressed from a policy perspective under Impact BIO-5 and from a habitat perspective under Impact BIO-2 and Impact BIO-3 (refer to Draft EIR Section 4.2.3). Mitigation for these impacts is addressed by replacement of nonnative vegetation with native vegetation in the stream corridor (MM BIO-4). As discussed under Impact BIO-6, impacts from human encroachment would remain at present levels once construction was completed; thus, no new permanent disturbances from human activities would occur. The EIR also includes MM BIO-6, which requires installation of a fence to reduce passive trail user access to the SPA.</p>

Commenter	Letter #	Comment #	Response
		2-9	<p>The data show that any microclimate changes that might occur would be, at most, extremely minor. The vegetation that would be removed is in a very narrow band only one tree wide that extends for only approximately 90 feet out of the total 500-foot length of the access road. In comparison, large expanses of eucalyptus woodland are present in immediately adjacent areas (refer to Figure 4.2-1 in the Draft EIR). Thus, no measurable change in microclimate is expected in this area. In addition, species that are sensitive to changes in microclimate in general (e.g., monarchs) are hundreds of feet from the removal area (see discussion in Draft EIR Section 4.2.1.1).</p>
		2-10	<p>It is unlikely that anthropogenic disturbance would appreciably increase over the current condition for the following reasons: the site is currently very heavily used by hikers, bicycle riders, and birdwatchers, and the amount of vegetation to be removed is very minor and occurs only in a very narrow band along a relatively small portion of the proposed road (refer to Response 2-8). The EIR also includes MM BIO-6, which requires installation of a fence to help reduce passive trail user access to the Streamside Protection Area (SPA).</p>
		2-11	<p>The analysis in Impact BIO-6 was expanded to address impacts of tree and screening loss on bird nesting after construction was completed. The small amount of tree loss would not increase or create new edge effects along the south bank of Devereux Creek because the trees to be removed are not dense and extend only for a short distance along the top of the north bank (refer to Response 2-8). Vegetative cover within the channel would not be affected by the tree loss, and could be increased due to increased light (less shading). The minor vegetation changes that could occur in the channel and on the south bank would not adversely affect wildlife movement through this area.</p>
		2-12	<p>The loss of riparian vegetation is discussed in Section 4.2.3 of the Draft EIR under Impact BIO-2. As noted, approximately 0.04 acre of riparian habitat would be removed. Although the affected acreage is small, this impact was classified as significant but mitigable to less than significant (Class II) through implementation of MM BIO-4, which includes preparation of a riparian habitat protection, replacement, and enhancement plan to be implemented within the Devereux Creek corridor and/or the mobile home park property. Replacement trees would not be planted in the exact same location as those that are removed, but they would be planted nearby, and additional enhancements would occur as well (e.g., nonnative trees would be removed, except eucalyptus, and would be replaced with native species). This mitigation measure would reduce the impacts from this small loss of riparian habitat to less than significant because the loss would be adequately compensated.</p>

Commenter	Letter #	Comment #	Response
			<p>The commenter raises a concern about the lack of riparian vegetation separating the “existing residences of Rancho Goleta (Rancho Estates)” and the access road from the wildlife habitat on the south side of the creek. All but one of the trees to be removed are small and in a linear row along the top edge of the concrete north bank of Devereux Creek. These trees do not extend the entire length of the proposed approximately 500-foot-long access road. Four of the willows and the oaks are located within an approximately 90-foot span, and the other willow is isolated, located about 100 feet to the east. The one sycamore tree to be removed is isolated between the existing trail and the housing fence line. Therefore, only small portions of the emergency access road would be affected by the removal of these trees.</p> <p>A small amount of other riparian vegetation (e.g., small nonnative shamel ash) grows along the north bank east of Coronado Drive next to the willow trees, and the Project would not affect the riparian vegetation on the south bank; therefore, the Project would not result in a substantial change beyond that described in Impact BIO-2.</p>
		2-13	<p>The buffer referenced by the commentator consists of a single row of relatively small trees, most of which extend for only approximately 90 feet (out of the 500-foot Project length); the others are isolated. This type of buffer provides little protection for Devereux Creek from human impacts. Moreover, removing these trees would not cause the “overlapping ESHAs for monarch butterfly, raptors, and riparian habitat” to degrade at a faster rate than currently exists.</p> <p>Nonetheless, in response to policy conflicts identified in Impact BIO-5, MM BIO-6 requires a fence along the top of the north bank, which would reduce human encroachment into the creek corridor along the Project site that could cause habitat degradation.</p> <p>New edge effects are not anticipated for the south bank as a result of removing the line of seven native trees on the north bank. This row is not dense and only about 90 feet long out of the 500-foot length of the access road. Therefore, favorable conditions for increases in invasive species of plants and animals would not occur. It is unlikely that impacts of brown-headed cowbirds on bird nesting would be measurably increased by the small proposed change in vegetation. The analysis in Impact BIO-6 was expanded to cover indirect impacts of tree removal in more detail. MM BIO-4 also requires replacement of native trees removed on the Project site (either the City or Rancho Estates properties).</p>
		2-14	<p>The California Fire Code requires a 20-foot width, not 10 feet. Please refer to Master Response 3 for a more complete discussion. No additional response is needed.</p>
		2-15	<p>The commenter’s support for Alternative 2 is noted.</p>

Commenter	Letter #	Comment #	Response
		2-16	This comment is noted. It does not raise a CEQA issue.
		2-17	<p>Cumulative impacts are addressed in Section 4.2.4, which concludes that cumulative impacts from loss of riparian habitat would be significant but mitigable to less than significant (Class II).</p> <p>The location of the 0.04 acre of riparian habitat that would be removed has been clarified in Section 4.2.3 of the EIR under Impact BIO-2.</p> <p>The requirement for a Streambed Alteration Agreement was addressed in the Draft EIR. Sections 1.5 and 2.6 both indicate that the applicant is required to obtain a Streambed Alteration Agreement from CDFW for work within Waters of the State.</p> <p>Specific responses to the assertion that MM BIO-4 does not compensate for permanent habitat loss and the effects on wildlife species are included under Responses 2-20, 2-21, and 2-22.</p> <p>In addition, part of the recommended mitigation area does not currently contain riparian vegetation, so creation of riparian habitat would occur (see Response 2-20).</p>
		2-18	<p>As described in Response 2-8, the habitat to be removed is in a narrow strip, short (most trees to be removed are within an approximately 90-foot section of the 500-foot road corridor), adjacent to a frequently used trail, and not continuous (some trees are grouped into a 90-foot section, others are isolated), so it has low value as riparian habitat. As noted in the comment, removal would be permanent with no chance for regrowth or expansion due to maintenance of the emergency access route. However, the trees do not provide truly transitional habitat due to their linear, discontinuous arrangement next to a highly disturbed, narrow strip of land dominated by nonnative herbaceous vegetation and landscape species adjacent to residential development. Effects on habitat degradation are addressed in Response 2-13, and monarch butterflies are addressed in Response 2-9. The proposed mitigation (MM BIO-4) would replace the trees lost and provide habitat for nesting birds and listed transient songbirds. Although pond turtles may use transitional habitat, the linear row of trees does not provide transitional habitat for this species. The remainder of the access road corridor is regularly disturbed by human activity so would not be suitable for pond turtle nesting and it does not provide connectivity to other suitable habitat. No habitat for southern western pond turtles (<i>Actinemys pallida</i>) would be lost, so no mitigation is necessary.</p>

Commenter	Letter #	Comment #	Response
		2-19	The riparian habitat impacts described in Impact BIO-2 of the Draft EIR address impacts on habitat that would be under CDFW jurisdiction. Mitigation for this impact is described in MM BIO-4. This impact also would be addressed in the CDFW Streambed Alteration Agreement application and permitting process. (The requirement for a Streambed Alteration Agreement was addressed in Sections 1.5 and 2.6 of the Draft EIR).
		2-20	Enhancement at a ratio that considerably exceeds the impact has been approved by CDFW as mitigation in the past. However, habitat restoration with tree planting in the southern part of the Rancho Estates parcel (in an area that is currently weedy open space with scattered trees and shrubs) would replace habitat values lost, particularly since the habitat value of the short, single row of trees along the top of the north bank of Devereux Creek is currently very low due to its linear nature and existing frequent disturbances by human activity. Thus, the mitigation proposed would completely offset the impact. The mitigation area can be protected in perpetuity with a conservation easement because it is owned by the applicant. This requirement has been added to MM BIO-4.
		2-21	If the Project is approved as proposed (not implementing Alternative 2), the applicant would submit a Lake or Streambed Alteration Agreement application. (This is noted in the Draft EIR, Sections 1.5 and 2.6. If Alternative 2 is found to be feasible and is implemented, no such agreement would be needed because no riparian habitat would be removed.
		2-22	Final mitigation requirements will be determined after environmental review is completed and a specific project is selected to go forward. If Alternative 2 is feasible and implemented, mitigation requirements would be very different than if the Project as proposed goes forward. Mitigation for the Project would be as described in the EIR and also could include any additional conditions added by the City during project approval. Such conditions are not required to reduce the non-policy conflicts identified in the Draft EIR to less than significant, however.
		2-23	Thank you for the links to the California Natural Diversity Database (CNDDDB) reporting forms. During our site visit, no special-status species of plants or animals were observed, so no data forms were submitted. The only observed natural community that was not described in the applicant's biological survey report was a potential wetland within the bed of Devereux Creek. Since the creek bed was outside the Project footprint, no wetland delineation was conducted.
		2-24	This comment is noted; filing fees are not a CEQA issue.

Commenter	Letter #	Comment #	Response
Division of Oil, Gas, and Geothermal Resources	3	3-1	The locations of the wells referenced in the comment were confirmed. They are located along Ellwood Beach Drive, Mathilda Drive, Palos Verdes Drive, and south of Newport Drive. None is within the area that would be disturbed by the Project, and the setbacks identified in the commenter's letter would be exceeded.
		3-2	The nearest well location is approximately 400 feet from the area where construction would occur, and the area has been previously disturbed. Nonetheless, should infrastructure associated with the oil and gas industry be encountered during construction, the City would contact the Division of Oil, Gas, and Geothermal Resources so the infrastructure could be dealt with in accordance with its regulations.
Santa Barbara County Fire Protection District	4	4-1	The Fire Department's lack of comments is noted.
Santa Barbara Audubon Society	5	5-1	Specific comments regarding the Audubon Society's concerns are addressed in subsequent responses. The commenter's support of Alternative 2 is noted.
		5-2	The discussion of impacts on recreational activities in Section 5.8 of the EIR has been augmented to include a discussion of birdwatching. The impact on recreational resources remains less than significant. Responses to specific comments on wildlife are included below.
		5-3	Please refer to Master Response 1, Restoration. The commenter's support for Alternative 2 is noted.
		5-4	<p>The Project's impacts on birds was addressed in Draft EIR Section 4.2.3 under Impacts BIO-1, BIO-5, and BIO-6. In accordance with CEQA requirements, where significant impacts were identified, mitigation measures were described that would reduce impacts to less than significant where feasible. No feasible mitigation measures were identified that could reduce all policy conflicts to less than significant, but significant physical impacts on birds and their habitat were all mitigable to less than significant. Thus, it is unlikely the Project would destroy the network of resources for birds or an important recreational site for birders (refer to the expanded discussion in EIR Section 5.8, Recreation).</p> <p>As proposed, the Project would not affect the amount or timing of water in Devereux Creek in the Project area and would not directly affect the creek bed or bank structure. The emergency access road would be located within an area that has been previously highly disturbed and supports a trail as well as nonnative vegetation, including landscape species that have escaped or been planted outside the residential fences. All except one of the trees to be removed are located in a line at the top edge of the concrete north bank of Devereux Creek and are not continuous over the length of the proposed</p>

Commenter	Letter #	Comment #	Response
			<p>emergency access road. Seven of the nine trees that would be removed are located in a 90-foot stretch of the 500-foot emergency access road corridor, in addition to one isolated willow and one isolated sycamore.</p> <p>Although it is true, as noted in the comment, that loss of important habitat for migratory birds has adversely affected their populations, the Draft EIR already describes how the Project would minimally impact migratory and nesting birds in the Project's vicinity. There are no data suggesting that the Project would otherwise remove important complex habitat or degrade the existing habitat for migratory and nesting birds. Impacts on nesting birds would be avoided through Implementation of MM BIO-7, thereby preventing conflicts with the Migratory Bird Treaty Act (MBTA).</p> <p>The Project's location in an already-disturbed area that is used as a trail would not preclude future restoration or habitat enhancement in the riparian corridor along Devereux Creek, either adjacent to the Project site or to the east or west (refer to Master Response 1).</p>
		5-5	<p>The only Class I impacts described for biological resources in the Draft EIR are associated with policy conflicts (Impact BIO-5) and not direct impacts on habitat or species.</p> <p>The Project is not anticipated to increase human use of the area, either along the existing trail between the houses and the creek or within the woodland associated with the creek outside the Project area. People currently have easy access to the top of the north bank throughout most of the proposed emergency access road area due to an existing trail and lack of dense woody vegetation. Even where the few native trees are present, the vegetation is not dense enough to preclude access by people. The Project would remove a short, linear (one tree wide) area of screening vegetation extending about 90 feet of the 500-foot long Project area (refer to Response 2-8) in addition to two isolated trees. Removal of this limited amount of vegetation would not result in closer public access to the creek in light of the access that already exists. Nonetheless, mitigation measure MM BIO-6 would reduce human encroachment into the creek by installing a permanent fence in this area. Although the Goleta West Sanitary District would use the access road for maintenance activities, this would not provide them closer access to the creek than currently exists. Their vehicles already use the existing trail, and their proximity to the creek is based on the width of the vehicles, not the width of the trail.</p> <p>The vegetation that would be removed does provide a relatively small amount of shade and perching habitat for birds. This, however, has low value for bird nesting due to the amount of recreational use currently occurring along the trail immediately adjacent to the trees. The discussion in EIR Section 4.2.3 under Impact BIO-6 was expanded to include</p>

Commenter	Letter #	Comment #	Response
			<p>additional discussion of the Project's impacts on common species of nesting birds. This impact remains less than significant.</p> <p>The retaining wall would be on the north side of the emergency access road, close to the residential fences where the land slopes steeply upward to those fences. Construction of this wall would remove an existing already degraded narrow linear habitat adjacent to residential fences and replace the nonnative vegetation with native species. Maintaining the clear zone to meet Fire Department requirements along the access road would prevent the establishment of woody vegetation at the top of the north bank and continue the less-than-significant impacts on common bird nesting has been added to the EIR. Maintenance activities would cause temporary, periodic disturbances on both sides of the roadway. MM BIO-7 was clarified to indicate that these maintenance activities would be scheduled outside the bird nesting season to minimize impacts on birds.</p>
		5-6	<p>The list of birds in the Draft EIR is intended to indicate some of the common, or typical species as stated in Section 4.2.1.1 under Wildlife. A more detailed list would not have enhanced the impact analysis because the analysis was not conducted by species but rather by habitat suitability for nesting. This approach is consistent with CEQA Guidelines § 15006, which directs public agencies to reduce paperwork by preparing EIRs that are analytic rather than encyclopedic. The Project would not affect the eucalyptus trees on the south side of the creek in the Project area so would not affect the availability of insects for bird foraging or the amount and timing of water in the creek.</p> <p>The commenter's support for Alternative 2 is noted. The EIR concludes that Alternative 2 is environmentally preferred, at least partly because it avoids impacts on biological resources along Devereux Creek as well as conflicts with local environmental protection policies.</p> <p>Please refer to Master Response 1 for a discussion of restoration at the portion of the Project site along Devereux Creek.</p>
		5-7	<p>This comment is noted. The Draft EIR identifies this as a significant and unavoidable (Class I) impact under Impact BIO-5, Conflicts with Policies.</p>
		5-8	<p>As noted in Response 5-6, an exhaustive list of birds that could use the area was not needed for the impact analysis. Since the drought has been going on for at least 5 years, surveys in non-drought years for this Project were not feasible. Also, multiple bird surveys in each season over several years were not needed to adequately assess impacts of the Project. Use of available information and the site visit to assess the habitat qualities provided enough information to make an informed impact analysis that meets CEQA requirements.</p>

Commenter	Letter #	Comment #	Response
		5-9	The MBTA protects migratory birds while nesting, and the EIR addresses effects on bird nesting in impact BIO-6.
		5-10	This species is present in the vicinity of the Project. As discussed in Section 4.2.1.1 under Special-Status Plant Species, however, the species is identifiable all year and would have been observed if present during botanical site visits for the Project. Therefore, no further discussion is warranted. Note that this species is included in Table 4.2-3, Listed and Proposed Species, and Critical Habitat Potentially Occurring or Known to Occur in the Project Area.
		5-11	<p>Although bird Species of Special Concern have been observed in the Project area, the statement about none being reported in CNDDDB is correct, based on a 2016 search. CNDDDB only has records that have been submitted, and many observations are not reported to CNDDDB.</p> <p>The Draft EIR addressed the Cooper’s hawk as a common species and not a special-status species because it is not designated a Species of Special Concern by the State. The yellow warbler was considered as a potential transient visitor, and impacts were not specifically addressed because the Project would have little to no potential to affect transient visitors due to the small area (0.04 acre) of trees that could be used by transient visitors along the north bank of Devereux Creek, the abundance of other trees available adjacent and nearby, and short duration of construction activities. Permanent removal of nine trees at the edge of a much larger woodland also would have negligible effects on habitat availability for transient species.</p> <p>White-tailed kites were addressed under Impact BIO-5. Even though these species have the potential to use habitat near the Project, removal of the few trees along the north bank of Devereux Creek would not have a substantial impact (the CEQA and City of Goleta definitions of a significant impact) on their breeding, resting, or foraging because few individuals could be affected, and no known habitat would be lost. Thus, impacts were determined to be less than significant.</p>
		5-12	The small amount of tree habitat for bird perching or resting to be removed relative to the amount of such habitat in the area is very small and would not prevent migratory birds from reaching nesting habitats in the area or elsewhere. In addition, the small amount of habitat removed would only have the potential to affect a few individual birds, which could use other trees in the area. Both the CEQA Guidelines and the City of Goleta’s Environmental Thresholds and Guidelines Manual use the criterion of whether the Project would have a “substantial” impact. The limited impacts that would occur are not substantial, and thus the impact was correctly categorized as less than significant.

Commenter	Letter #	Comment #	Response
		5-13	The replacement of nonnative trees with native trees would occur on properties that are affected by the Project, namely the City of Goleta and Rancho Estates parcels (refer to MM BIO-4, which states: "Replacement trees will be planted in the Devereux Creek corridor on the City-owned parcel and/or the Rancho Estates parcel"). This is considered onsite mitigation because it occurs on the same property in close proximity to the impact. Permanent removal is mitigated by replacing nonnative trees with native ones and planting more native trees than native plus nonnative removed. Thus, the habitat values would be replaced.
		5-14	Wetlands that are subject to the Coastal Act are determined if at least one of three criteria for wetlands is present, which is the same as for the City of Goleta. One wetland area meeting this single-parameter definition was found and is discussed in EIR Section 4.2.1.1. See Response 1-3 regarding Coastal Act wetlands, jurisdiction, and setbacks.
		5-15	Impacts on wildlife movement are addressed in EIR Section 4.2.3, under Impact BIO-4. Removal of a linear row of trees that is one tree wide and mostly located within an approximately 90-foot-long section of the 500-foot emergency access road corridor would not "severely degrade resident and migratory bird habitat" as stated in the comment. This habitat loss is very small relative to the amount present in the area. Furthermore, this linear loss of a few trees would not adversely affect wildlife movement (mammals or birds). Many trees are present in the area that could be used by migrating birds, and the ground surface would remain for use by mammals, most of which move during the night. The Project would not affect any water in Devereux Creek and, thus, would not affect migratory animals that rely on water sources.
		5-16	As discussed in Section 4.2.3 of the Draft EIR under Impact BIO-5, in determining the impacts of a SPA buffer reduction, City policy requires consideration of the feasibility of alternative project siting. An alternative project location has been identified (this is Alternative 2); the feasibility of this alternative is a policy decision that the City will make. If the City determines that the project alternative is infeasible, removal of the SPA buffer is less than significant (Class III) because it does not conflict with City policy. However, if the City determines that the alternative project is feasible, then the Project would conflict with City policies regarding SPA buffers, and the impact would be significant (Class I). The Draft EIR identifies several ESHA impacts as Class I: SPA (separate from SPA buffers), wetlands, monarch butterfly habitat areas, and special-status species).
		5-17	Please refer to Response 5-16.
		5-18	Please refer to Response 1-2.
		5-19	Please refer to Response 1-3.

Commenter	Letter #	Comment #	Response
		5-20	Please refer to Response 1-1.
		5-21	<p>The only “brush” (i.e., woody plants that are not trees) to be removed is the mix of scattered landscape plants adjacent to the residential fences. The removal of nine native trees would remove a small amount of low value bird breeding habitat (see Response 2-2). This loss was determined to be less than significant due to the small area and its low value. This less-than-significant impact would continue for the life of the Project as proposed. The removal of shamel ash with replacement by native riparian trees as well as planting native trees in open space on the Rancho Estates parcel was proposed as mitigation for the native tree loss (MM BIO-4). Shamel ash is not native in this area and is invasive. See Response 5-8 regarding adequacy of existing data for analysis of impacts on wildlife habitat. More information on numbers of birds migrating in the fall (or spring) would not help in the analysis unless the data were specific to the individual trees proposed to be removed.</p>
		5-22	<p>Section 4.2.1.1 of the Draft EIR (under Special-Status Animals) stated that white-tailed kites have historically attempted to nest in the vicinity of the Project. However, the trees within the Project footprint have not been used and are not likely to be used during Project construction. The eucalyptus trees on the eastern end of the Project site would not be removed by Project construction so would remain as habitat that could be used by this species in the future. The linear row of trees that would be removed along the north bank top of Devereux Creek (mix of willow and oak trees that are shorter in height than the trees to the south along the creek) is not likely to be used for roosting due to the regular human use of the trail immediately adjacent to these trees. Kites are known to forage over the grasslands of Ellwood Mesa, but these grasslands are over 400 feet to the south of the Project site and separated by dense eucalyptus trees and a slope upward from the creek corridor. Thus, Project construction and periodic use of the access road would not affect kite foraging over the grasslands.</p>
		5-23	<p>Thank you for the information that Cooper’s hawks are present all year. As noted in Response 5-22, the eucalyptus trees at the eastern end of the Project would not be removed so would continue to provide potential nesting habitat. The Project would not preclude nesting in eucalyptus trees at other locations along Devereux Creek.</p>
		5-24	<p>Thank you for the information on recent sightings of yellow warblers in the Project vicinity. No eucalyptus trees would be removed as part of the Project so no potential nesting habitat in that tree species would be lost. The short duration of construction activities adjacent to Devereux Creek would minimize the potential for effects on this species, especially if construction is scheduled outside the nesting period, as required by MM BIO-7.</p>

Commenter	Letter #	Comment #	Response
		5-25	Please refer to Master Response 2 regarding the differences between impacts associated with policy conflicts and physical impacts on biological resources.
		5-26	Please refer to Response 5-13; mitigation would occur on site. Also refer to Response 5-12 regarding migratory birds.
		5-27	<p>Sufficient detail is included in MM BIO-4. The necessary components of the plan are identified, and enough detail is provided to ensure that the residual impact would be less than significant. More specific information regarding the plan components would be developed during the permitting process. Mitigation ratios for replacement trees would likely depend on the size of planting stock proposed and requirements of permitting agencies. Additionally, MM BIO-4 requires removal and replacement of all nonnative trees on Project properties within 100 feet of Devereux Creek (except eucalyptus), and therefore, the number of replacement trees would likely exceed typical replacement ratios. Regardless, the mitigation ratios would be part of a mitigation plan that would be approved by the City, as specified in MM BIO-4.</p> <p>We agree that the 2-foot height limitation for vegetation planted adjacent to the access road would not provide habitat suitable for bird nesting and resting. Some species, however, could forage for seed and insects in/over this vegetation. Replacement of the trees removed as described in MM BIO-4 would mitigate the loss of tree habitat for bird nesting and resting.</p> <p>As discussed in MM BIO-4, the replacement of nonnative trees with native trees would occur on properties that are affected by the Project, namely the City of Goleta and Rancho Estates parcels. This is considered onsite mitigation because it occurs on the same property in close proximity to the impact.</p> <p>Impact BIO-2 is correctly categorized as Class II in the Draft EIR.</p>
		5-28	The commenter's concurrence with use of local plant genotypes is noted. With implementation of the mitigation measures identified in Section 4.2.5 of the Draft EIR, the Project would protect Devereux Creek, including the SPA and wetlands. Notwithstanding significant impacts identified relative to conflicts with City policies protecting ESHA and ESHA buffers (Impact BIO-5), the Project includes onsite mitigation that would mitigate the impacts on the habitat to a less than significant level (see Response 5-27).

Commenter	Letter #	Comment #	Response
		5-29	Scheduling maintenance work outside the nesting season has been added to MM BIO-7. Scheduling work after August 31 (end of nesting season) avoids impacts on migration occurring in late July and all of August. Scheduling construction later in the fall (after early October) would likely schedule the work during the rainy season, which may be in conflict with Project permits. However, construction activities would be short-term and highly localized so would not affect most of the potential habitat for migrating birds along Devereux Creek. Actual construction dates would depend on time needed to complete the work and permit conditions.
		5-30	See Responses 5-5, 5-11, and 5-12.
		5-31	See Master Response 5.
		5-32	The commenter has not provided substantial evidence to support the assertion that Project impacts would be Class I. Refer to the preceding responses, including, but not limited to, Responses 5-16, 5-27, and 5-28. Also, please refer to Master Response 2 regarding the differences between impacts associated with policy conflicts and physical impacts on biological resources.
		5-33	The discussion of impacts on recreational activities in Section 5.8 of the EIR has been augmented to include a discussion of birdwatching. The impact on recreational resources remains less than significant. The comment does not provide any specific information regarding why the analysis of impacts on aesthetic resources is considered inadequate. Impacts AES-1 and AES-2 do consider impacts from the loss of riparian vegetation and construction of the road and wall. These impacts were found to be significant but mitigable to less than significant (Class II).
		5-34	<p>CEQA Guidelines §15126.6(e) states that: “The specific alternative of ‘no project’ shall also be evaluated <i>along with its impact</i>”(emphasis added). It further states that: “The ‘no project’ analysis shall discuss the existing conditions...as well as <i>what would be reasonably expected to occur in the foreseeable future if the project were not approved</i>” (emphasis added). Thus, the purpose of the No Project Alternative is to fully disclose the <i>impacts</i> that would occur if the Project or one of its alternatives were not implemented. The Draft EIR therefore appropriately discusses the impacts that would occur under the No Project Alternative.</p> <p>Public Services is a category that is included in the CEQA Checklist (Appendix G of the CEQA Guidelines) and thus is appropriately addressed in this EIR.</p> <p>The CEQA Checklist (Appendix G of the CEQA Guidelines) also includes a number of criteria that specifically focus on impacts on public health and safety (e.g., under Air Quality, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water</p>

Commenter	Letter #	Comment #	Response
			<p>Quality, Noise, and Transportation/Traffic). The Hazards and Hazardous Materials portion of the CEQA Checklist, refers, for example, to exposure of people or structures to a significant risk of loss, injury, or death involving wildland fires. The Santa Barbara County Fire Department has indicated that improvements of the type that are proposed are required to meet current fire safety standards, which are outlined in the 2013 California Fire Code, §§ 503.2.1 and 503.1.2. Please refer to Master Response 3 regarding the need for the Project.</p> <p>The No Project Alternative would perpetuate a situation that the Fire Department has determined to be in noncompliance with the Fire Code; thus, the Class I impact classification is appropriate.</p>
		5-35	This comment is noted. It does not raise a CEQA issue.
		5-36	The commenter's support for Alternative 2 is noted. Please refer to Master Response 1 regarding restoration at the portion of the Project site along Devereux Creek.
		5-37	Please refer to Master Response 4 for a discussion of Alternative 2 implementation. No significant impact on recreational activities would result from Alternative 2; therefore, there is no mechanism or justification for the provision of improved recreational amenities.
		5-38	Please refer to Master Response 4 for a discussion of Alternative 2 implementation.
		5-39	<p>The Biological Assessment is only one source of information that was used in the Draft EIR (refer to Section 4.2, page 4.2-1 for a listing of all data sources). The applicant's Biological Assessment also was written to different standards than the Draft EIR and used thresholds of significance that do not include all the thresholds in the CEQA Checklist. This makes the impact analysis in the two documents different in ways that can seem inconsistent. In addition, four of the seven impacts discussed in the Biological Assessment are related to policy conflicts (EIR Impact BIO-5) and are not biological impacts. Furthermore, the EIR preparers did not agree with all of the impact assessments in the applicant's Biological Assessment, so discrepancies are present between the EIR and the applicant's document based on their peer review of this report. Please refer to Appendix C, Peer Review of the Biological Assessment, Proposed Emergency Access Road, for additional discussion.</p>
		5-40	This comment is noted. It does not raise a CEQA issue.
		5-41	The issues raised in this comment are addressed in the preceding responses.
		5-42	The commenter's support for Alternative 2 is noted. Please refer to Master Response 1 regarding potential future restoration at the Project site.

Commenter	Letter #	Comment #	Response
Santa Barbara Urban Creeks Council	6	6-1	This comment is noted. It includes no specific information regarding why the Draft EIR is considered deficient.
		6-2	This comment is noted. Conflicts with City policies were addressed in Section 4.2.3 of the Draft EIR under Impact BIO-5.
		6-3	The commenter's support for Alternative 2 is noted.
Sierra Club	7	7-1	This comment does not explain why the environmental impact analysis in the Draft EIR is considered inadequate. The commenter's support for Alternative 2 is noted. Alternative 2 was identified as environmentally superior in the Draft EIR.
		7-2	Riparian habitat is mapped on Figure 4.2-1 of the EIR. Wetlands were not mapped because they are outside the Project area. However, where wetlands were observed, the general distance of wetlands from Project disturbance was determined and described in Section 4.2.3 under Impact BIO-3. Please refer to Response 5-16 regarding the significance of policy impacts.
		7-3	This comment is noted. It does not address a CEQA issue. Project impacts on migratory and resident birds were addressed in Section 4.2.3 of the Draft EIR under Impacts BIO-1, BIO-5, and BIO-6. Some impacts were found to be less than significant (Class III), some were found to be significant but mitigable to less than significant (Class II) through the implementation of mitigation measures included in Section 4.2.5, and certain policy conflicts were found to be significant and unavoidable (Class I). Please refer to Master Response 1 for a discussion of restoration at portion of the Project site along Devereux Creek.
		7-4	The commenter's support for Alternative 2 is noted. Please refer to Master Response 4 for a discussion of Alternative 2 implementation.
Marjorie Lakin Erickson	8	8-1	Please refer to Response 7-3.
		8-2	This comment is noted. It includes no specific information regarding why the Draft EIR is considered deficient.
		8-3	Please refer to Response 5-6.
		8-4	The discussion of impacts on recreational activities in Section 5.8 of the EIR has been augmented to include a discussion of birdwatching. The impact on recreational resources remains less than significant.
		8-5	This comment is noted.

Commenter	Letter #	Comment #	Response
		8-6	Impacts on riparian vegetation were addressed in Draft EIR Section 4.2.3 under Impact BIO-2. MM BIO-4 includes mitigation that would reduce significant impacts to less than significant. The commenter does not provide any evidence that such impacts cannot be mitigated.
		8-7	The commenter's support for Alternative 2 is noted. Please refer to Master Response 4 for a discussion of Alternative 2 implementation.
		8-8	Please refer to Response 8-7.
Barbara Massey	9	9-1	This comment is noted. It does not raise a CEQA issue.
		9-2	Please refer to Master Response 5 regarding the car wash area.
		9-3	CEQA does not require the same level of detail for alternatives as it does for the Project. Therefore, detailed plans of Alternative 2 have not yet been developed. Enough detail has been provided, however, to allow a comparison of the impacts of this alternative to those of the Project. As indicated in Section 6.2.2, emergency access would be taken from Sea Gull Drive, and this area is clearly visible on Figure 2-1.
		9-4	Please refer to Master Response 3 regarding the need for the Project.
		9-5	Please refer to Master Response 4 for a discussion of Alternative 2 implementation.
		9-6	The Project was referred to as "Rancho Goleta" in the Draft EIR because this was the name listed on applicant-provided information. Nonetheless, the name has been changed to Rancho Estates in the Final EIR and was updated on the website. The Notice of Preparation and the Draft EIR both include the Project's address and assessor's parcel number, as well as a narrative description of the Project location. The EIR also includes maps of the Project site. Consequently, CEQA does not require corrected public notices or a recirculation of the Draft EIR; the public was reasonably informed about the Project's location.
Ingeborg Cox	10	10-1	Please refer to Response 9-6.
		10-2	As discussed in Section 2.2 of the Draft EIR, the hammerhead turnaround was repaved in late 2014 to function as a hammerhead turnaround for the Fire Department. The hammerhead turnaround does not need further repavement. The repavement was not previously approved, and the commenter is correct that its impacts were not previously analyzed and that no permits were issued. This is stated in Section 2.2 of the Draft EIR.
		10-3	Please refer to Master Response 5 regarding the car wash area.

Commenter	Letter #	Comment #	Response
		10-4	Please refer to Master Response 5 regarding the car wash area.
		10-5	Please refer to Master Response 3 regarding the need for the Project.
		10-6	The commenter does not indicate how the emergency access road would affect the backyards of adjacent residences. The current path is not dirt; rather, it has a gravel surface, similar to what would be constructed under the Project. The emergency access road would be gated, and its only purpose would be to allow emergency access by the Fire Department. Bicyclists and pedestrians would be able to continue to use this area.
		10-7	The retaining wall is required because the topography would be altered to accommodate the full width of the road between the houses and the creek, and the wall would stabilize the slope adjacent to the residences. The site is not wide enough to accommodate the setbacks specified in the Goleta General Plan/Coastal Land Use Plan. These impacts are discussed in Draft EIR Section 4.2.3 under Impact BIO-5 and also in Section 4.6.3 under Impact LU-1.
		10-8	The boundaries of the mobile home park and City-owned property are shown on Figure 2-1. The emergency access road would be located on City of Goleta property. The City of Goleta is the lead agency for this EIR and would be required to issue permits and approvals as noted in Sections 1.1, 1.5, and 2.6. Please refer to Master Response 3 regarding the need for the Project. The undeveloped area shown in the enclosed pictures is part of the mobile home park. No changes are proposed to this area as part of the Project. Therefore, direct Project impacts do not need to be addressed in the EIR. The grassy field to the east of the hammerhead turnaround (mapped as ruderal in Figure 4.2-1) has been tentatively identified for Project mitigation (see MM BIO-2).
		10-9	Please refer to Master Response 6 regarding the purpose of the emergency access road.
		10-10	Please refer to Response 10-7 regarding the need for the retaining wall. The ground behind the wall would slope upward toward the residences, but would not increase the ground surface at the base of the fences bordering the backyards. Therefore, the Project would not increase accessibility to these backyards.
		10-11	Please refer to Master Response 7 regarding the potential for the Project to increase nuisances.

Commenter	Letter #	Comment #	Response
		10-12	The EIR acknowledges that the site is not wide enough to accommodate the setbacks specified in the Goleta General Plan/Coastal Land Use Plan. These impacts are discussed in Draft EIR Section 4.2.3 under Impact BIO-5 and also in Section 4.6.3 under Impact LU-1.
		10-13	Please refer to Response 10-12.
		10-14	The fire lines are pipelines for water. They would be buried, as indicated in Draft EIR Section 2.4.1, which notes that water lines would be installed by trenching, placing the pipeline within the trench, and resurfacing the disturbed area. The location of the fire line along Devereux Creek is described in Section 2.2 and shown on Figure 2-1.
		10-15	The biological resources section of the Draft EIR (Section 4.2.1.1) states that Devereux Creek flows into Devereux Slough. The emergency fire access road would not affect Devereux Slough, however, due to its distance (over 5,000 feet) downstream from Devereux Creek at the eastern end of the Project.
		10-16	<p>The emergency access road would not be cemented; rather, it would be a gravel surface, similar to what is currently present, but upgraded to support the weight of a fire apparatus. Section 4.2.3 of the Draft EIR (Impact BIO-3) addresses the potential for pieces of the road to enter the Devereux Creek, noting that “after construction, pieces of road base gravel potentially could also enter the creek in runoff. This would degrade the creek, but the amount of sediment and gravel in runoff would not be substantial, and considerable sediment is currently carried by Devereux Creek in this area from other sources, including urban uses and from erosion along trails in the vicinity. The relatively small contribution that could come from the Project would be negligible by comparison, and impacts on wetlands would be less than significant (Class III).” As discussed in Response 10-15, the Slough is over 5,000 feet from the Project site and would not be affected by the Project.</p> <p>The EIR acknowledges that the site is not wide enough to accommodate the setbacks specified in the Goleta General Plan/Coastal Land Use Plan. These impacts are discussed in Draft EIR Section 4.2.3 under Impact BIO-5 and also in Section 4.6.3 under Impact LU-1.</p>
		10-17	All relevant impacts are addressed in the EIR. This comment does not raise a specific CEQA issue.

Commenter	Letter #	Comment #	Response
		10-18	<p>The Audubon Society comments about this site were considered when preparing the Draft EIR and were additionally considered when preparing the Final EIR. Project impacts on migratory and resident birds were addressed in Section 4.2.3 of the Draft EIR under Impacts BIO-1, BIO-5, and BIO-6. Some impacts were found to be less than significant (Class III), some were found to be significant but mitigable to less than significant (Class II) through the implementation of mitigation measures included in Section 4.2.5, and certain policy conflicts were found to be significant and unavoidable (Class I).</p> <p>Please refer to Master Response 2 regarding the differences between impacts associated with policy conflicts and physical impacts on biological resources.</p>
		10-19	<p>Please refer to Responses 5-29 and 5-6 regarding construction during migration and the number of species present, respectively.</p>
		10-20	<p>Monarch butterfly aggregations occur during the winter when construction activities are unlikely to occur due to weather. Permit conditions may also limit construction to the dry season. Regardless, construction activities would not occur within the 200-foot buffer around known aggregation sites, and construction would be of short duration, making impacts less than significant.</p>
		10-21	<p>The commenter's view regarding tree removal is noted. Tree removal is identified as a significant but mitigable consequence of the Project, and mitigation is provided for that impact (BIO MM-4).</p>
		10-22	<p>As discussed in Section 1.2 of the Draft EIR, the Development Agreement between the City and the mobile home park owner related to the proposed condominium conversion included an obligation that, subject to approval by permitting agencies (including the City), the applicant apply and obtain approvals for various fire safety-related public improvements to the mobile home park. Therefore, the Project is associated with the condominium conversion, but it would not carry vehicular traffic associated with the conversion. The types of allowed uses are described in Section 2.2 of the Draft EIR, which specifies that the Project would: "Retain the pipe gates on the west end of the emergency access road, near Coronado Drive, and on the east end, near the hammerhead turnaround, so that vehicular access would be limited to use by the Fire Department during emergencies. Access also would continue to be available to the Goleta West Sanitary District and Santa Barbara County Flood Control District in accordance with the terms of their existing easements for ingress and egress and for maintenance and flood control and drainage purposes, respectively. Additionally, the area would continue to be accessible to pedestrians and bicyclists" (emphasis added).</p>

Commenter	Letter #	Comment #	Response
			The only change in use would be potential occasional emergency use by the Fire Department. This use would not affect the health of the nearby residents.
		10-23	Please refer to Response 10-22. The emergency access road would not be used as a “regular road.”
		10-24	A federal wetland delineation is a detailed study of three parameters: soils, hydrology, and vegetation while state wetlands are defined by only one of those parameters. For the purposes of an EIR, it is necessary to identify if probable wetlands are present. However, the wetland mentioned in the EIR occurs outside the Project impact area and therefore a detailed analysis was not needed to determine what the impacts would be. Furthermore, permitting agencies, including the US Army Corps of Engineers and CDFW, make the final determination regarding wetlands during the permit process.
		10-25	The Coastal Commission is a Responsible Agency. The City would be required to approve the Project, but as Section 1.2 of the Draft EIR notes: “Because the site is located in the Coastal Zone, the California Coastal Commission (CCC) is the final approval body for the condominium conversion, as well as the Project.”
Bradley Hacker	11	11-1	This comment is noted. It does not raise a CEQA issue.
		11-2	Please refer to Response 5-6. The number of bird species that have been recorded for the general area of the Project is important to demonstrate the diversity of species for the area. However, the Project is not expected to affect diversity of bird species due to the small area affected. Abundance by species would be more relevant in assessing impacts because affecting many individuals of a single or several species could have a larger impact than affecting one individual of a species that has only been observed infrequently in the area but is common elsewhere. Biological Assessments for EIR analysis are generally only conducted during one or a few site visits at the appropriate time to identify special-status species, and literature information and preparer expertise are then used to complete the document. Impact assessment is conducted for individual special-status species and for general groups of common species.
		11-3	The three coast live oak and four arroyo willow trees in a linear row at the top of the north bank of Devereux Creek to be removed would not substantially affect the “Coronado Seep” bird habitat. These trees have a weedy open space on their north that contains a well-used trail with residential development adjacent to the north. The small number of trees to be removed would result in a small incremental decrease in the number of trees available for bird resting during migration. The number of migrating birds affected by this loss would be negligible, and those individuals could use the adjacent trees. No death of

Commenter	Letter #	Comment #	Response
			birds is anticipated from loss of a few trees. No habitat disturbance would occur directly off the end of Coronado Drive or to the west.
		11-4	Please refer to Response 5-16.
		11-5	The commenter's support for Alternative 2 is noted.
John Douglas	12	12-1	The commenter's opposition to the Project is noted. The comment does not raise a CEQA issue.
		12-2	Please refer to Master Response 5 regarding the car wash area.
		12-3	The commenter's opposition to the Project is noted. The comment does not raise a CEQA issue.
		12-4	The commenter's opposition to the Project is noted. The commenter does not provide any support to the assertion that the Draft EIR is inadequate.
John Douglas	13	13-1	The commenter's opposition to the Project is noted. The comment does not raise a CEQA issue.
		13-2	Please refer to Master Response 5 regarding the car wash area.
Cherie Topper	14	14-1	The commenter's opposition to the Project is noted. The comment does not raise a CEQA issue.
		14-2	The City has been in communication with the California Department of Housing and Community Development (HCD) regarding this Project. HCD addresses issues occurring within the boundaries of mobile home parks. Thus, actions on the City-owned property are outside their purview. The HCD process would begin after local review and approval had occurred. The HCD declined to comment on the Draft EIR.
		14-3	Tables 1-1 and 2-1 of the EIR have been modified to indicate that a Construction Permit would be required from HCD.
		14-4	Tables 1-1 and 2-1 of the EIR have been modified as indicated in Response 14-3. Additional discussion of State laws regarding mobile home parks has been added to Section 4.6.2.2. The EIR does not include a Section 4.6.8.
Charlene Marie	15	15-1	The commenter's opposition to the Project is noted. The comment does not raise a CEQA issue.
Douglas Cummings	16	16-1	The commenter's opposition to the Project is noted. The comment does not raise a CEQA issue, nor does the comment explain how the Project would "decrease fire safety."

Commenter	Letter #	Comment #	Response
		16-2	The commenter's opposition to the Project is noted. The Draft EIR does provide context for the environmental impact discussions; the existing conditions are described for each resource.
		16-3	Please refer to Master Response 3 regarding the need for the Project.
		16-4	<p>The commenter does not provide any support for the assertion that construction would threaten the "Butterfly Preserve." As discussed in Section 4.2.3 under Impact BIO-1, monarch butterflies are not expected to be adversely affected by construction and operation of the emergency fire access road and water line because no aggregation habitat would be lost or disturbed. Construction of the fire access road and water pipeline would occur outside (by 40 feet or more) the 200-foot buffer for the Ellwood East monarch aggregation site and more than 200 feet outside the buffer for the Ellwood Main aggregation site. Noise from construction activities would be of short duration, especially where closest to the buffer for Ellwood East. Whether any noise impacts could occur would depend on the construction schedule. If construction occurred outside the time when monarchs were roosting, no impacts would occur. If construction took place when winter roosting occurs, impacts would be less than significant due to the distance from the aggregation site and the short duration of the noise. The removal of a few trees and shrubs along the north bank of Devereux Creek also would not adversely affect the species because ample habitat is present nearby. Overall, impacts would be less than significant (Class III).</p> <p>The loss of monarch ESHA is discussed below under Impact BIO-5. This is a policy conflict and different than physical impacts on monarch butterflies. Please refer to Master Response 2 regarding the differences between impacts associated with policy conflicts and physical impacts on biological resources.</p> <p>Notices regarding the EIR were distributed to nearby property owners in accordance with City and CEQA requirements.</p>
		16-5	<p>The aesthetic impacts of the Project were addressed in Section 4.1.3 of the Draft EIR and were found to be significant due to vegetation removal, but mitigable to less than significant through a restoration program. Additionally, as discussed in Section 2.4.3 of the Draft EIR, the Project includes revegetating the slope between the new retaining wall and private property to the north and the slope south of the new road with Santa Barbara native seed mix. Thus, the weedy vegetation that is currently present would be replaced with native vegetation, which is considered an improvement to the area's aesthetic qualities.</p> <p>Please refer to Master Response 7 regarding the potential for the Project to increase nuisances.</p>

Commenter	Letter #	Comment #	Response
			The EIR does not include a discussion of altering parking for Rancho Estates because this is not a part of the Project. Widening this small section of the existing trail, while retaining the gates at either end, would not increase the use of this trail and therefore would not increase parking along the nearby streets.
		16-6	<p>The proposed emergency access road would have a gravel surface, as allowed by the Fire Department (refer to Section 2.4.1 of the Draft EIR). This is similar what is currently there, but upgraded to support the weight of a fire apparatus. There are no plans to pave this road because it is not a Fire Department requirement, nor are there any plans to use this road for construction. As indicated in Section 2.2 of the Draft EIR, the emergency access road would be gated, and its only purpose would be to allow emergency access by the Fire Department and ongoing access by the Goleta Sanitary District and Santa Barbara County Flood Control District.</p> <p>As discussed in Section 7.1 of the Draft EIR, the emergency access road would not extend or lead to the extension of any existing public roads. Per the City of Goleta General Plan/Coastal Land Use Plan, no planned public street or road improvements are within or in the vicinity of the Project site that would be affected. The proposed road would connect two fully developed areas, and its only purpose would be to allow emergency access by the Fire Department. Thus, the proposed road would not be lengthened to meet Ellwood Beach Road or Phelps Road. Should this ever be proposed in the future, it would be subject to separate environmental review and permitting.</p>
		16-7	The resources listed in this comment have been included in the EIR. The comment does not raise any CEQA issues requiring revision to the Draft EIR.
		16-8	The commenter's opposition to the Project is noted. The comment does not raise a CEQA issue.
Cliff Kline	17	17-1	Please refer to Master Response 3 regarding the need for the Project. Marborg does not use the use the existing trail to access the Project area.
		17-2	The proposed emergency access road would not be made of impermeable material. It would have a gravel surface, as allowed by the Fire Department (refer to Section 2.4.1 of the Draft EIR), similar to what is there at present. The issues mentioned in the comment are addressed in the EIR.
		17-3	The commenter's appreciation of the current trail is noted. Please refer to Master Response 3 regarding the need for the Project.
		17-4	The commenter's opposition to the Project is noted. Please refer to Response 17-1 regarding the need for the emergency access road.

Commenter	Letter #	Comment #	Response
Joan Lentz	18	18-1	Our biologists agree that no regular assessments of biological resources at the Project site during July through October have occurred, or at least have not been documented. However, the surveys that have been conducted, in combination with numerous other sources of information (refer to Section 4.2, page 4.2-1 for a listing of all data sources), provided adequate information to assess the environmental impacts of the Project. Also please refer to Responses 5-6 and 5-8.
		18-2	The EIR biologists agree that wetlands of any size can be important wildlife habitat, especially as such locations are lost due to development and climatic changes and that such areas should be protected from disturbance to the extent feasible. If the wetland being referred to is directly south of Coronado Drive or to the west of there, it would not be physically affected by the Project, nor would the Project affect creek flows. The trees to be removed are located starting about 100 feet east of Coronado Drive and at most extend approximately 90 feet eastward as the wooded area along the creek becomes less dense. The Draft EIR discusses Project conflicts with existing environmental protection policies that the City needs to consider in Section 4.2.3 under Impact BIO-5 and discusses physical impacts on birds in Impacts BIO-1 and BIO-6.
		18-3	Although specific bird surveys were not conducted at times that would have identified more species that could nest in the Project area, the Draft EIR (Section 4.2.3) identified impacts on nesting birds as significant but mitigable. MM BIO-7 requires a nesting bird survey if construction activities are to occur during the nesting season with avoidance of any nests found with a buffer established by a qualified biologist. Also refer to Response 5-6.
		18-4	CEQA does not require collecting all possible information before assessing impacts. Rather, it requires identification of potential impacts and measures to mitigate such impacts. The Draft EIR did identify impacts on nesting birds as significant and developed a mitigation measure to avoid such impacts. Also refer to Response 5-6.
		18-5	Human disturbance in the Project area will continue with or without the Project as population grows and more people come to the area for bird watching, monarch butterfly viewing, hiking, biking, and other recreational uses. The Project would have localized impacts on the environment, most of which would be temporary and unlikely to affect ongoing human use of the area. Please refer to Master Response 1 regarding future restoration.
		18-6	The commenter has not raised any CEQA issues demonstrating that the EIR is inadequate.
		18-7	This comment is noted. It does not raise a CEQA issue.

Commenter	Letter #	Comment #	Response
		18-8	The commenter's support for Alternative 2 is noted.
Gail Osherenko	19	19-1	The commenter's support for Alternative 2 is noted.
		19-2	This comment is noted. It does not raise a CEQA issue.
		19-3	The commenter's support for Alternative 2 is noted.
		19-4	The commenter's support for Alternative 2 is noted.
Cathy Rose	20	20-1	The commenter's support for Alternative 2 is noted.
Peggy Kearns	21	21-1	This comment is noted. It does not raise a CEQA issue.
Adrian O'Loughlen	22	22-1	Section 4.2.1 provides an accurate description of the existing biological resources in the Project area. Impacts on birds are addressed in Section 4.2.3 under Impacts BIO-1, BIO-5, and BIO-6. The purpose of the biological resources section of the EIR is not to justify the Project but to identify impacts of the Project on biological resources. The EIR identifies Alternative 2 as a way to avoid most biological impacts.
		22-2	The proposed Project includes development of the emergency access road along Devereux Creek. This was identified by the Fire Department as the preferred method of obtaining secondary fire access to and from the mobile home park. Please refer to Master Response 3 regarding the need for the Project. Alternative 2 was developed, as required by CEQA, in order find another way of implementing the Project that could lessen or avoid significant environmental impacts.
Amanda and Frank Frost	23	23-1	The commenter's support for Alternative 2 is noted.
Eric Johnson and Shirley Adams	24	24-1	The retaining wall would be 10 feet from the property line of the private residences. It would not affect drainage on your property because it would be constructed pursuant to California building code requirements. The gate would be allowed to remain, but any walkways or improvements would be removed because such private improvements are not allowed on public property, and private access to public use areas is not protected by the City. Access would continue to be available, however, from Coronado Drive. There is no evidence to indicate that property values would be affected by the Project.
		24-2	The commenter's agreement with other comments is noted. Responses have been provided to each.

Commenter	Letter #	Comment #	Response
		24-3	The commenter's opposition to the Project is noted. The comment does not raise a CEQA issue.
Rick Zelazny	25	25-1	The commenter's support for Alternative 2 is noted.
Kevin Duffy	26	26-1	The commenter's opposition to the Project is noted. The comment does not raise a CEQA issue.
Jeanine Serbanich	27	27-1	The commenter's opposition to the Project is noted. The comment does not raise a CEQA issue.
		27-2	Please refer to Master Response 3 regarding the need for the Project.
		27-3	The applicant would pay for the proposed improvements. The City would continue to own the parcel along Devereux Creek.
		27-4	Impacts on biological resources are addressed in Section 4.2.3 of the Draft EIR, and impacts on hydrology and water quality are addressed in Section 4.5.3.
		27-5	This comment is noted. It does not raise a CEQA issue.
		27-6	The commenter's opposition to the Project is noted. The comment does not raise a CEQA issue.
Michael McQuiggan	28	28-1	Please refer to Master Response 3 regarding the need for the Project, which includes the need for the 20-foot access road. The road would not be paved; rather, it would have a gravel surface, as noted in Section 2.4.1, but upgraded to support the weight of a fire apparatus. This is similar to the surface of the existing trail. The retaining wall is required because the topography would be altered to accommodate the full width of the road between the houses and the creek, and the wall would stabilize the slope adjacent to the residences. Aesthetic impacts of the Project were addressed in Section 4.1.3 of the Draft EIR.
Desre and Joan Roche	29	29-1	The commenter's opposition to the Project is noted. The comment does not raise a CEQA issue.
		29-2	The commenter's opposition to the Project is noted. The comment does not raise a CEQA issue.
		29-3	Please refer to Master Response 3 regarding the need for the Project.
		29-4	The commenter's opposition to the Project is noted. The comment does not raise a CEQA issue.

Commenter	Letter #	Comment #	Response
		29-5	The commenter's opposition to the Project is noted. The comment does not raise a CEQA issue.
John Gilmore	30	30-1	The commenter's opposition to the Project is noted. The comment does not raise a CEQA issue.
Marian Cohen	31	31-1	The commenter's opposition to the Project is noted. The comment does not raise a CEQA issue.
		31-2	The Draft EIR did include a discussion of the Project's impacts on migratory birds and their habitats (refer to Section 4.2.3, under Impacts BIO-1, BIO-5, and BIO-6). The discussion of impacts on recreational activities in Section 5.8 of the EIR has been augmented to include a discussion of birdwatching. The impact on recreational resources remains less than significant.
		31-3	Please refer to Master Response 2 regarding the differences between impacts associated with policy conflicts and physical impacts on biological resources. It is not clear which environmental review documents are thought to be contradicted, but please refer to Response 5-39 regarding differences between the EIR analysis and the applicant's biological assessment.
		31-4	This comment is noted. The text of Section 4.2, Biological Resources, and Section 4.6, Land Use, has been modified to include a discussion of the relevant portions of the California Coastal Act.
		31-5	The commenter's support for Alternative 2 is noted.
Valerie Watt	32	32-1	Please refer to Master Response 4 for a discussion of Alternative 2 implementation.
		32-2	Although these are elements of the Project, they are also objectives, and they have not been removed.
Chris Hall	33	33-1	The car wash area is part of the existing hammerhead turnaround. It is simply a water faucet and hose.
		33-2	Please refer to Master Response 3 regarding the need for the Project.
		33-3	Please refer to Master Response 7 regarding the potential for the Project to increase nuisances.
		33-4	Please refer to Master Response 4 for a discussion of Alternative 2 implementation. Please refer to Master Response 3 regarding the need for the Project.
Dan Hislop	34	34-1	Please refer to Master Response 4 for a discussion of Alternative 2 implementation.

Commenter	Letter #	Comment #	Response
		34-2	The commenter's opposition to the Project is noted. Please refer to Master Response 3 regarding the need for the Project.
		34-3	Notices of public hearings, including both the Planning Commission and City Council hearings, will be provided to nearby residents and all interested parties, as was the notice of the Draft EIR.
Laura Maskrey	35	35-1	The Project's background is discussed in EIR Section 1.2, including Fire Department requirements for safety improvements. Also, please refer to Master Response 3 regarding the need for the Project. The Project was designed to meet Fire Department requirements, and it is not clear why the commenter feels the Project would not solve fire safety issues. The comment also does not provide specific information regarding the areas where the analysis is considered deficient.
		35-2	The Project's background is discussed in Section 1.2, including Fire Department requirements for safety improvements. Also, please refer to Master Response 3 regarding the need for the Project. The impacts of not implementing the Project are discussed under the No Project Alternative in Section 6.2.1 of the Draft EIR.
		35-3	"To protect and preserve public trail access" is not a mitigation because no significant impact would occur. Rather, it is correctly characterized as a Project objective, and public access would continue to be provided as part of the Project.
		35-4	Please refer to Master Response 5 regarding the car wash area.
		35-5	The impacts of installing the fire lines are included in the impact analysis, which does not break out every individual component (e.g., installing the fire line along Devereux Creek is just part of the overall disturbance that would occur). The new fire lines are required to provide water to the new fire hydrants, as indicated in Section 2.2 of the Draft EIR. Refer to Master Response 5 regarding the car wash area.
		35-6	The EIR does not mention installing a gate at the end of Sea Gull Drive, and the commenter does not specifically describe what types of impacts were not discussed in the Draft EIR. Please refer to Master Response 4 for a discussion of Alternative 2 implementation.
		35-7	Please refer to the above responses to this comment letter.
Ariana Katovich	36	36-1	Please refer to Master Response 3 regarding the need for the Project.
		36-2	This comment is noted. It does not raise a CEQA issue.

Commenter	Letter #	Comment #	Response
		36-3	Please refer to Master Response 7 regarding the potential for the Project to increase nuisances.
		36-4	Construction impacts associated with noise and air quality are discussed in Section 4.7, Noise, and Section 5.2, Air Quality, of the EIR. Impacts from noise during construction would be significant, but mitigable to less than significant during the approximately 21 days that construction would occur. Air quality impacts would be less than significant, and well under the thresholds established by the Santa Barbara Air Pollution Control District, which are intended to protect public health. As discussed in Section 2.5 of the Draft EIR, the Project would require little and infrequent maintenance; thus, impacts on noise and air quality would be very minor.
		36-5	There are no plans to grant access to the mobile home park to use this road as a driveway. The Project's purpose is to allow emergency access by the Fire Department. The road would be gated and locked to prevent unauthorized use by other vehicles.
		36-6	Please refer to Master Response 5 regarding the car wash area.
		36-7	The commenter's opposition to the Project is noted. The comment does not raise a CEQA issue.
		36-8	There is no evidence to indicate that property values would be affected by the Project. This road would widen an existing trail, and all significant environmental impacts (with the exception of policy inconsistencies) would be mitigated to less than significant. Refer to Response 35-5 regarding use of this road as a driveway.
		36-9	One sycamore tree would be removed for construction of the Project as discussed in Impact BIO-2. Removal of the tree would be mitigated by enhancements to the Devereux Creek corridor and planting of sycamore trees on the same properties where the removal would take place in accordance with permits (see MM BIO-4 in EIR Section 4.2.5). The tree does not provide flood control protection, it would only have an effect on flood waters in a flood event that would also flood neighborhoods and the minimal effect of a single tree would be negligible. The impacts of vegetation removal, which would include the sycamore tree, are discussed under Impact HYD-1.
		36-10	The commenter's support for Alternative 2 is noted. Please refer to Master Response 4 for a discussion of Alternative 2 implementation.

Commenter	Letter #	Comment #	Response
John Di Benedetto	37	37-1	The commenter's opposition to the Project is noted. The comment does not raise a CEQA issue. Please refer to Master Response 6 regarding the purpose of the emergency access road.
		37-2	This comment is noted. It does not raise a CEQA issue.
Maggie Sheriffs	38	38-1	The commenter's support for Alternative 2 is noted.
		38-2	Project impacts on migratory and resident birds were addressed in Section 4.2.3 of the Draft EIR under Impacts BIO-1, BIO-5, and BIO-6. Some impacts were found to be less than significant (Class III), some were found to be significant but mitigable to less than significant (Class II) through the implementation of mitigation measures included in Section 4.2.5, and certain policy conflicts were found to be significant and unavoidable (Class I). The discussion of impacts on recreational activities in Section 5.8 of the EIR has been augmented to include a discussion of birdwatching. The impact on recreational resources remains less than significant.
		38-3	In accordance with CEQA requirements, where significant impacts were identified, mitigation measures were described that would reduce impacts to less than significant where feasible. No feasible mitigation measures were identified that could reduce all policy conflicts to less than significant, but significant physical impacts on birds and their habitat were all mitigable to less than significant. The level of detail in the mitigation measures was appropriate for CEQA purposes and provided enough information to support the conclusions that physical impacts on biological resources would be mitigable to less than significant. MM BIO-2 and MM BIO-4, included in Section 4.2.5 of the Draft EIR both include restoration measures. Please refer to Master Response 1 regarding additional restoration.
Robert Denholtz	39		This letter raises similar issues as letter 38. Please refer to Letter 38 responses.
Sarah Sweeny and Peter Hembrow	40		This letter raises similar issues as Letter 38. Please refer to Letter 38 responses.
Robert Greenberg	41		This letter raises similar issues as Letter 38. Please refer to Letter 38 responses.
Donald Keogh	42		This letter raises similar issues as Letter 38. Please refer to Letter 38 responses.
George Azelickis and Gage Richard	43		This letter raises similar issues as Letter 38. Please refer to Letter 38 responses.
Carolyn Keogh	44		This letter raises similar issues as Letter 38. Please refer to Letter 38 responses.

Commenter	Letter #	Comment #	Response
Kate Schepanovich	45		This letter raises similar issues as Letter 38. Please refer to Letter 38 responses.
Public Hearing			
Kenneth Pearlman	46	46-1	The commenter's opposition to the Project is noted. The comment does not raise a CEQA issue.
Ingeborg Cox		46-2	Please refer to Master Response 3 regarding the need for the Project. Also refer to Responses 10-10 regarding the need for a retaining wall and Response 10-16 regarding runoff debris.
Ingeborg Cox		46-3	Please refer to Master Response 6 regarding the purpose of the emergency access road.
Ingeborg Cox		46-4	Please refer to Response 10-12 regarding ESHA setbacks and Response 10-10 regarding the need for the retaining wall. Please refer to Master Response 7 regarding the potential for the Project to increase nuisances.
Ingeborg Cox		46-5	Please refer to Response 10-15.
Ingeborg Cox		46-6	Please refer to Response 10-24.
Ingeborg Cox		46-7	Please refer to Response 10-21.
Ingeborg Cox		46-8	Please refer to Response 10-4.
Sara Astorga		46-9	The Project's impacts on monarch butterflies were addressed in Section 4.2.3 of the Draft EIR under Impact BIO-1. As indicated, monarch butterflies are not expected to be adversely affected by construction and operation of the emergency fire access road and water line because no aggregation habitat would be lost or disturbed. Construction of the fire access road and water pipeline would occur outside (by 40 feet or more) the 200-foot buffer for the Ellwood East monarch aggregation site and more than 200 feet outside the buffer for the Ellwood Main aggregation site. Therefore, the comment that the Monarch Preserve is being challenged is not substantiated.
Sara Astorga		46-10	This comment is noted. It does not raise a CEQA issue.
Sara Astorga		46-11	The commenter's support for Alternative 2 is noted.
Sara Astorga		46-12	The commenter's opposition to the Project is noted.
Brad Hacker		46-13	Please refer to Response 5-6.
Brad Hacker		46-14	Please refer to Response 11-3.

Commenter	Letter #	Comment #	Response
Brad Hacker		46-15	This comment is noted. Policy conflicts are discussed in Draft EIR Section 4.2.3 under Impact BIO-5 and also in Section 4.6.3 under Impact LU-1.
Brad Hacker		46-16	This comment is noted. Policy conflicts are discussed in Draft EIR Section 4.2.3 under Impact BIO-5 and also in Section 4.6.3 under Impact LU-1. Please also refer to Response 5-16.
Brad Hacker		46-17	The commenter's support for Alternative 2 is noted.
Jennifer Smith		46-18	The issues raised in this comment are addressed in Section 4.2.3 of the Draft EIR. The comment does not explain why the analysis is considered inadequate.
Jennifer Smith		46-19	The commenter's support for Alternative 2 is noted.
Jennifer Smith		46-20	Please refer to Master Response 3 regarding the need for the Project.
Jennifer Smith		46-21	The EIR includes feasible mitigation measures. The comment does not explain why the mitigation measures are considered unrealistic. The EIR impact analysis does assume that the road is permanent and looks at the impacts of ongoing maintenance.
Jennifer Smith		46-22	Please refer to Response 5-39.
Jennifer Smith		46-23	Please refer to Master Response 3 regarding the need for the Project.
Sharon Rose		46-24	Impacts on biological resources and water quality are addressed in the Draft EIR in Sections 4.2 and 4.5, respectively, along with feasible mitigation measures for significant physical impacts on biological resources, including implementation of a restoration plan that includes a minimum monitoring period of 5 years, after which the vegetation would be well established. The road would not be impermeable. Rather, it would have a gravel surface, similar to what is there at present.
Sid Goldsten		46-25	This comment is noted. It does not raise a CEQA issue.
Steve Ferry		46-26	The commenter does not explain why the Draft EIR is considered inadequate. Policy conflicts are discussed in Draft EIR Section 4.2.3 under Impact BIO-5 and also in Section 4.6.3 under Impact LU-1. Please also refer to Response 5-16.
Steve Ferry		46-27	This comment is noted. It does not raise a CEQA issue.
Steve Ferry		46-28	The commenter's support for Alternative 2 is noted. Please refer to Master Response 4 for a discussion of Alternative 2 implementation.
Scott Cooper		46-29	Please refer to Master Response 1, Restoration.

Commenter	Letter #	Comment #	Response
Scott Cooper		46-30	Please refer to Master Response 2 regarding the differences between impacts associated with policy conflicts and physical impacts on biological resources.
Kathy Goeden		46-31	Please refer to Master Response 3 regarding the need for the Project. Impacts on aesthetics discussed in the Draft EIR (Section 4.1.3 under Impacts AES-1 and AES-2) were described as significant, but mitigable to less than significant through the implementation measures. The comment about retaining the trees is noted.
Ken Tatro		46-32	Please refer to Response 9-6.
Ken Tatro		46-33	This comment is noted. It does not raise a CEQA issue.
Ken Tatro		46-34	Please refer to Master Response 4 for a discussion of Alternative 2 implementation.
Barbara Massey		46-35	This comment is noted. It does not raise a CEQA issue.
Barbara Massey		46-36	This comment is noted. It does not raise a CEQA issue.
Barbara Massey		46-37	Please refer to Master Response 5 regarding the car wash area.
Barbara Massey		46-38	Please refer to Master Response 4 for a discussion of Alternative 2 implementation. Also refer to Response 9-3.
Barbara Massey		46-39	Please refer to Master Response 3 regarding the need for the Project.
Barbara Massey		46-40	Please refer to Master Response 4 for a discussion of Alternative 2 implementation.
Cherie Topper		46-41	The commenter's support for Alternative 2 is noted. Please refer to Master Response 4 for a discussion of Alternative 2 implementation.
Cherie Topper		46-42	The discussion of impacts on recreational activities in Section 5.8 of the Draft EIR has been augmented to include a discussion of birdwatching. The impact on recreational resources remains less than significant. No recirculation of the Draft EIR is required.
Cherie Topper		46-43	Please refer to Response 5-13.
Cherie Topper		46-44	Please refer to Master Response 3 regarding the need for the Project.
Cherie Topper		46-45	The commenter's support for Alternative 2 is noted.
Jeff Hanson		46-46	The comment regarding the peer review is noted. It does not raise a CEQA issue. The commenter's support for Alternative 2 is noted.

Commenter	Letter #	Comment #	Response
Fran Farina		46-47	Please refer to Master Response 3 regarding the need for the Project. The commenter's opposition to the Project is noted. The commenter's support for Alternative 2 is noted. Please refer to Master Response 4 for a discussion of Alternative 2 implementation.
Valerie Halverson		46-48	The commenter's opposition to the Project is noted. The comment does not raise a CEQA issue.
Ariana Katovich		46-49	The commenter's support for Alternative 2 is noted. Please refer to Master Response 1, Restoration.
Ariana Katovich		46-50	This impact is evaluated in the Draft EIR (Section 4.5.3, under Impact HYD-2). This impact was found to be significant, but mitigable to less than significant with implementation of MM HYD-1.
Christine Hall		46-51	The commenter's opposition to the Alternative 2 is noted. The comment does not raise a CEQA issue.
Christine Hall		46-52	Please refer to Master Response 7 regarding the potential for the Project to increase nuisances.
Christine Hall		46-53	Please refer to Master Response 3 regarding the need for the Project.
Keith Traphagan		46-54	The comment is noted that the applicant prefers no action.
John Gilmore		46-55	The commenter's opposition to the Project is noted. The comment does not raise a CEQA issue.
Thomas Casparian	47	47-1	This comment does not raise a CEQA issue. Nonetheless, the City of Goleta has addressed the concerns expressed in this letter, and these responses are included in Attachment 1.
Sid Goldstien	48	48-1	This comment does not raise a CEQA issue. Nonetheless, the City of Goleta has addressed the concerns expressed in this letter, and these responses are included in Attachment 1.
		48-2	This comment does not raise a CEQA issue. However, please refer to the City's responses provided in Attachment 1 regarding the Development Agreement.
		48-3	Please refer to Master Response 5 regarding the car wash area.
		48-4	The impacts on aesthetic resources are not based on consistency with the City's General Plan policies; rather, the impact analysis is based on the CEQA Guidelines and the City's Environmental Thresholds and Guidelines Manual. Although the City's relevant General Plan policies are described under the Regulatory Framework discussion (Section 4.1.2.3

Commenter	Letter #	Comment #	Response
			of the Draft EIR), the significance thresholds do not refer to these policies, nor does the impact analysis.
		48-5	Davidson's salt scale is an annual species that blooms at the earliest in April; the blooming period continues until October. Therefore, a February or March survey would have been unlikely to detect this species. Other species may have been blooming early, but it is not possible to determine that Davidson's salt scale would have been in bloom by March. Therefore, a survey is necessary to determine if it is absent. Southern tarplant similarly blooms later in the year, between May and November. It is very unlikely that blooming individuals of this species would have been present when the site was surveyed in February and March. Therefore, a survey is necessary to determine if it is absent. Also, please refer to Response 5-39 regarding differences between the Biological Assessment and the EIR analysis.
		48-6	Southern western pond turtles can move a mile or more over land, so survey within 500 feet of the Project is required to identify any that could potentially enter the work area during construction and be injured. No modifications to the mitigation measure are required.
		48-7	Please refer to Response 48-2 regarding City policies.
		48-8	<p>MM BIO-4 addresses impacts associated with Impact BIO-2, Riparian/Other Sensitive Natural Communities. This impact is not associated with City policies; rather, it addresses the physical removal of riparian vegetation, which is recognized by regulatory agencies as a sensitive habitat. Similarly, the mitigation measure is not based on City policies; rather, it was designed to replace native habitat loss (native and nonnative riparian vegetation) with native trees that would enhance the riparian habitat.</p> <p>Mitigation Measure BIO-4 includes multiple components required to avoid, minimize, and offset direct and indirect impacts of the Project. These components are necessary to reduce impacts to less than significant. For example, flagging vegetation that may be removed is required to make sure that vegetation that does not require removal is protected. Protected vegetation, regardless of what type of vegetation it is (grass, trees, or shrubs) provides a buffer to riparian habitat that lessens the effects of noise, dust, erosion, and other impacts associated with construction.</p> <p>Limiting the removal of nonnative trees (except eucalyptus) to the north side of the creek and to the area of disturbance would not provide sufficient area to offset the loss of the riparian trees. Rather than creating new habitat to replace removed habitat, the mitigation measure would improve existing habitat. A larger area of habitat improvement is required to ensure that the impact is fully offset. Thus, mitigation cannot be limited to the north side of the creek, or the specific area of disturbance. Moreover, due to Fire</p>

Commenter	Letter #	Comment #	Response
			Department standards, trees cannot be planted along the top of the north bank and therefore must be planted elsewhere.
		48-9	Please refer to Response 48-2.
		48-10	Please refer to Response 48-2. Removal of oaks and willows at the top of the north bank would provide easy access to the creek, which was at least partially blocked by those trees. A fence would minimize the potential for encroachment by people.
		48-11	Please refer to Response 48-2.
		48-12	Please refer to Response 48-2.
		48-13	The Project site is adjacent to a creek, and such areas are known to have a high potential for containing cultural resources; additionally, other cultural resources are known to be present in the general location. Thus, there is a potential for cultural resources to be present, and the mitigation that is identified in the Draft EIR is appropriate. None of the impacts on cultural resources were based on City policies, although please refer to Response 48-2 regarding the Development Agreement.
		48-14	The Draft EIR indicates that there is a potential for unique fossils to be encountered during construction. It also acknowledges that the potential is low; therefore, the mitigation measure only calls for spot-monitoring on a part-time basis and gives the Project paleontologist the authority to increase, reduce, or eliminate monitoring as warranted by observed field conditions during construction. No modifications to the mitigation measure are warranted.
		48-15	The text of EIR Section 4.5.2 has been modified to indicate that a Stormwater Pollution Prevention Plan is not required because the Project would disturb less than 1 acre, but that the City would require preparation of an Erosion and Sediment Control Plan.
		48-16	Please refer to Master Response 5 regarding the car wash area.
		48-17	Please refer to Response 48-2.
		48-18	The text of Section 4.5.2 has been modified to indicate that a Stormwater Pollution Prevention Plan is not required because the Project would disturb less than 1 acre, but that the City would require preparation of an Erosion and Sediment Control Plan. The CDFW's jurisdiction does not extend merely to the top of the stream bank; rather, it extends to the outward extent of the riparian canopy. Therefore, modifications proposed under the Project would require a Streambed Alteration Agreement from CDFW, as indicated in the Draft EIR.

Commenter	Letter #	Comment #	Response
		48-19	No revisions to Alternative 1 are merited. Please refer to Master Response 5 regarding the car wash area., Response 5-34 regarding the proper scope of the No Project Alternative, Master Response 3 regarding the need for the Project, and Response 48-2 regarding issues involving the Development Agreement.
		48-20	The commenter has not provided any information demonstrating that this alternative is infeasible. The analysis evaluated the environmental impacts of this alternative, including impacts on Land Use and Planning (refer to Draft EIR Section 6.2.2.6), and concluded that they were less than those of the Project. This section acknowledged that this alternative would require removal of two mobile homes, requiring relocation of the residents, but concludes that this is not a significant impact under CEQA because no land use changes would be required to accommodate these residents elsewhere, and no policy inconsistencies would occur. This is consistent with CEQA Guidelines § 15131(a), which states that “economic or social effects of a project shall not be treated as significant effects on the environment...The focus of the analysis shall be on the physical changes.” Removing two residences would be considered an social/economic change, not a physical change. Nonetheless, this type of information would be considered by decision makers in compliance with CEQA Guidelines § 15131(c). The portion of the comment discussing the Development Agreement does not raise a CEQA issue. Nonetheless, the City of Goleta has addressed the concerns expressed in this letter, and these responses are included in Attachment 1.
		48-21	Please refer to Master Response 5 regarding the car wash area.
		48-22	This alternative would not meet the Project objective of providing for improved emergency access to the existing mobile home park development (Draft EIR Section 2.3). Moreover, as discussed in Master Response 5, this alternative would not address the Fire Department’s concerns regarding the need for secondary emergency access to Rancho Estates.
		48-23	As discussed in the preceding responses, no revisions to the impact classifications included in the Draft EIR are merited.
		48-24	This comment does not raise a CEQA issue. However, please refer to the City’s responses provided in Attachment 1 regarding the Development Agreement.
		48-25	This comment does not raise a CEQA issue. However, please refer to the City’s responses provided in Attachment 1 regarding the Development Agreement.