9.0 RESPONSE TO COMMENTS RECEIVED ON THE OCTOBER 2011 DRAFT ENVIRONMENTAL IMPACT REPORT

This section provides written responses to all comments received on the Draft Environmental Impact Report (Draft EIR) during its public review period from October 7, 2011 through November 21, 2011. Comments were received in the form of letters, an email, and testimony at the public hearing on the Draft EIR (held on November 10, 2011). The first five letters are from public agencies as are numbered chronologically according to their date, while the remaining 12 letters were received from community members and the applicant team and are listed chronologically, and the emailed comment is listed as item 18.

1. Chris Shaeffer, Caltrans District 5, November 17, 2011
2. Eric Gage, Santa Barbara County Air Pollution Control District, November 18, 2011
3. Peter Imhof, Santa Barbara County Association of Governments, November 18, 2011
4. Patricia Bartoli-Wible, Southern California Edison, November 21, 2011
5. Scott Morgan, California Office of Planning and Research, November 22, 2011
6. Leslie Lund, November 6, 2011
7. Luis and Gentry Zuzunaga, November 4, 2011
8. Betty Jeppesen, Islay Investments, November 8, 2011
9. Justin M. Ruhge, November 9, 2011
10. Patricia Moreno, November 21, 2011
12. Cyril Humphris, November 21, 2011
15. Kelly Hildner, Ph.D., November 21, 2011
18. Dollar, Shawn, email to Scott Kolwitz, November 10, 2011

Each of these letters with numbered comments corresponding to the responses below is provided at the end of this section.

Opportunity for public to comment on the DEIR was provided at the Public Hearing held on November 16, 2011. Scott Kolwitz, Environmental Hearing Officer, presided over the hearing and offered opportunity for public comments. Verbal comments and supporting photographs were received from Tasha Williams, a member of the public. Ms. Williams stated that she represented Shawn Dollar, who she described as a resident of the Pacific Glen community across from the project along Glen Annie Road. A description of Ms. Williams’ remarks and photographs submitted on behalf of Shawn Dollar in an email are provided herein, following the responses to the written comments.
9.1 INDIVIDUAL RESPONSES TO WRITTEN COMMENTS

This section provides a response to each comment received on the October 2011 Draft EIR. Each comment letter is reproduced with comment numbering added, followed by corresponding itemized responses to each comment.

9.1.1 Chris Shaeffer, Caltrans District 5, November 17, 2011

1-1 The EIR contains a detailed analysis of the U.S. 101 Northbound Off-Ramp/Glen Annie Road intersection. The analysis quantifies existing, existing + plus project, cumulative, and cumulative + project traffic volumes and levels of service for the intersection. The analysis found that the project would not generate project-specific or cumulative impacts to this intersection based on the City of Goleta's thresholds of significance.

The EIR also contains an analysis of the project's contribution to traffic impacts on the segment of U.S. 101 between Storke Road and Los Carneros Road based on the impact criteria established by SBCAG through the CMP. The analysis found that the project would not generate significant impacts to the segment of U.S. 101 between Storke Road and Los Carneros Road.

1-2 As provided in Section 4.13 Transportation and Traffic, Mitigation Measure TR 3-1 for project impacts to the U.S. 101 Southbound Ramps/Storke Road intersection requires that the design of the improvement be coordinated and approved by both the City and Caltrans. To address the commenter’s concern, Mitigation Measure TR 3-1 was revised to include a requirement to evaluate the need for ramp meters in consultation with Caltrans.

As noted above in the Response to Comment 1-1, the EIR contains an analysis of the project's traffic impacts on the segment of U.S. 101 between Storke Road and Los Carneros Road based on the impact criteria established by SBCAG through the CMP. The analysis found that the project would not generate significant impacts to the segment of U.S. Highway 101 between Storke Road and Los Carneros Road.

1-3 This EIR utilizes the City standard intersection capacity utilization (ICU) methodology for analyzing the level of service for signalized intersections, including the Storke Road/US 101 SB Ramp, where the project would reduce operations to LOS D. Accordingly, Mitigation Measure TR 3-1 requires the installation of free right turn signalization and a physical barrier that allows for a protected left turn from traffic entering the on-ramp from southbound Glen Annie Road. Also, the right turn would be “exclusive” as it would not share the lane with NB Glen Annie Road through movements. In addition, as the commenter points out, the HCM methodology is recommended when no field data is available. The field data collection effort completed for the EIR included right-turn-on-red (RTOR) measurements. The RTOR percentages used in the traffic study are based on the field measurements of movements conducted on each approach at each intersection. The traffic analysis contained in Appendix H contains RTOR field count data that established the RTOR factor. The HCM methodology was not appropriate. Therefore, the EIR correctly relies on the RTOR factor provided in this analysis.

1-4 As provided in Section 4.13 Transportation and Traffic, the intersections are analyzed using the ICU methodology that was adopted by the City of Goleta and SBCAG in concert with Caltrans. The ICU analysis was developed based on actual field data.
measurements of intersection lane capacities (saturation flows) obtained at various intersections located throughout the south coast area, including the City of Goleta. The ICU analysis utilizes reduced saturation flow rates (1,600 vehicles per hour per lane) to account for all users of the intersections (passenger vehicles, trucks, busses, pedestrians, and bicycles).

1-5 As provided in Response to Comment 1-2, Mitigation Measure TR 3-1 was revised to include a requirement to evaluate the need for ramp meters in consultation with Caltrans. The mitigation measure requires the applicant to fund the design and implementation of the improvement.

9.1.2 Eric Gage, Santa Barbara County Air Pollution Control District (APCD), November 18, 2011

Along with this November 18, 2011 Draft EIR comment letter, APCD attached their letter of November 5, 2009 provided during the EIR Scoping process (APCD, November 5, 2009). The Draft EIR review and related November 18, 2011 comment letter is inclusive of the APCD scoping process letter requests for

2-1 The commenter’s summary of the project description is generally correct, with the exception of the description of land uses along Santa Felicia Drive bounding the project site on the west. As provided in Section 2.2.3 Surrounding Land Uses, these uses are considered “research and development offices” as opposed to “single-family residences,” as provided by the commenter.

2-2 The commenter is correct that future tenants, and relative uses, of the commercial buildings have not been specifically identified for purposes of this EIR. Determinations as to the type of equipment that may be used requiring permits from the Air Pollution Control District will become the responsibility of the landowner and tenants and the APCD review, as lead agency for the individual permit applications, will have the discretion to determine the level of any CEQA requirements that may be required. It is prudent that APCD consult the City of Goleta Planning and Environmental Services Department to ensure that any proposed equipment requiring APCD permits is ancillary for the allowed land uses on the property to be authorized under this project’s land use permit application.

2-3 The Existing Air Quality discussion within Section 4.2 Air Quality has been revised to include the most recent air quality monitoring data through 2010.

2-4 Table 4.2-1 Project Area Air Quality Monitoring Summary was revised to include data for years 2005 through 2010. The “Ultra-Fine Particulates” was revised to “PM2.5”.

2-5 APCD’s letter dated November 5, 2009, along with the attachment “Public Health and High Traffic Roadways,” are now included in Appendix A. Section 4.2 Air Quality, states that the closest proposed residences will be within 265 feet of the nearest travel lane on US Highway 101, within APCD’s recommended 500-foot buffer area, in which there may be a correlation between high-traffic roads and respiratory illness. In developing the freeway set-back recommendations, the ARB provided (in pertinent part):
We recognize the opportunity for more detailed site-specific analyses always exist, and that there is no “one size fits all” solution to land use planning…

In preparation of this EIR, a more site-specific analysis was conducted to account for site specific conditions and US Highway 101 traffic conditions. This analysis included a screening level dispersion analysis of excess cancer risk. It also contains a discussion of site-specific conditions related to non-cancer risk pollutants that suggests APCD’s 500-foot setback recommendation is not wholly applicable to the project site.

The screening level dispersion analysis predicted an excess lifetime cancer risk of 2.5 in a million. This value does not exceed the APCD’s CEQA threshold for a significant air quality impact. However, this marginal increase in risk is identified as sufficient to require the implementation of reasonable best available control technology measures to further reduce the risks.

Also, as the commenter points out, the setback recommendation is not solely based on carcinogenic pollution. It is noted that indicators of adverse health effects, such as increased doctor visits observed in the 1990’s for residents located near roadways carrying as few as 41,000 vehicle trips per day. However, the following site-specific conditions distinguish the project site from the sampled sites:

- Average Daily Trips (estimated to be 33,000 ADT) adjacent to the project site are lower than those sites with reported adverse health effects;
- Vehicles are cleaner burning as compared to the timeframe of the study sample data;
- Prevailing winds at the project site blow on-shore in a northeasterly toward US Highway 101, and as such, pollutants are not expected to be as prevalent as might otherwise be recorded; and
- Mitigation Measure AQ 3-1 requires enhanced filtration of building ventilation to increase particle removal efficiency reduction, which would reduce the non-cancer-causing exhaust emissions.

While the APCD recommends a 500-foot buffer between residential units and a high-volume roadway, the District has not adopted a threshold of significance beyond those established within the Scope and Content of Air Quality Sections in Environmental Documents (APCD, December, 2011) that pertain to a 500-foot setback. Based on the thresholds of significance and the site-specific analysis provided for the project, this EIR correctly identifies the potential for significant impacts with regard to its proximity to US Highway 101, and provides site-specific mitigation to the extent feasible and with direct nexus to the impacts/thresholds.

2-6 The citation was changed to Scope and Content of Air Quality Sections in Environmental Documents (APCD, December, 2011).

2-7 The footnote reference to carbon “sinks” was removed from Section 4.6 Greenhouse Gas Emissions.

2-8 The title for Senate Bill 97 was revised.
2-9 Reference to APCD as a “CEQA responsible” agency for the project was revised to “commenting” agency.

2-10 The service population (SP) estimate is based upon an average of 2.6 persons per unit for apartments and condos, as noted in Section 2.0 Project Description, and the Santa Barbara County Association of Governments’ estimated average of 44 employees per one acre of commercial property. The SP used in Section 4.6 Greenhouse Gas Emissions breakdown with cited references is provided as follows:

\[
\begin{align*}
279 \text{ DU} & \times 2.6\text{ persons/DU} = 726 \text{ residents (1)} \\
44 \text{ employees/commercial acre} & = 430 \text{ employees (2)} \\
\text{Management and maintenance} & = 10 \text{ employees (3)} \\
\text{Total:} & = 1,166 \text{ Service Population}
\end{align*}
\]

(1) Number of residents ratio is based on City of Goleta General Plan/Coastal Land Use Plan (GP/CLUP) Housing Element Technical Appendix, November 2010, Page 10A-20.

(2) Santa Barbara County Association of Governments (SBCAG), Regional Growth Forecast 2005-2040, August 2007, Appendix 5 pg. 13.

(3) Based on estimates provided by the applicant for the project.

2-11 The commenter is correct. Low-or-zero-VOC coatings have no tangible GHG reduction benefit. This measure is more appropriate as part of AQ 1-3 for reduction of ozone precursor emissions. AQ 1-3 was revised accordingly.

2-12 The City Planning and Environmental Services Department applies APCD requested conditions of approval to a land use permit (such as a Conditional Use Permit), Development Plan Approval, Zoning Clearance, or Grading Permit as they may pertain to a specific development application. The land use permit conditions of approval provided by APCD are not mitigation measures for purposes of CEQA compliance needed for this project; and therefore, are not included in this EIR.

9.1.3 PETER IMHOF, SANTA BARBARA COUNTY ASSOCIATION OF GOVERNMENTS, NOVEMBER 18, 2011

3-1 Comment Noted. Section 4.9 Land Use and Planning has been updated to include a discussion of the Santa Barbara County Association of Government’s determination that the project is consistent with the Airport Land Use Plan. Accordingly, the related mitigation measure (formerly MM LU 6-1) was removed and the residual impact of Impact LU 6 was reduced to Class II, less than significant with mitigation incorporated.

9.1.4 Patricia Bartoli-Wible, Southern California Edison, November 21, 2011

4-1 The commenter’s summary of the project description is accurate.

4-2 As described in Section 2.0 Project Description, the project would relocate Southern California Edison (SCE) transmission lines and conduct improvements within the SCE right-of-way along the project perimeter. The applicant has designed the project plans, including the alignment and pole placement for the power lines, in consultation with SCE’s Operating Department. As part of the attainment of on-going entitlements and land rights, the applicant would be legally required to provide SCE with the plan sets
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requested to obtain approval and fulfill all requirements of SCE to proceed with construction.

4-3  Section 4.7 Hazards and Hazardous Materials provides an analysis of the project’s impacts relative to the project perimeter transmission and distribution lines, which are 66 kV and 16 kV, respectively. This EIR was prepared for a larger project for which the SCE-related facility improvements are included. It is anticipated that this EIR would be relied upon for meeting the CEQA review requirements during SCE’s review and approval of the project’s electrical improvement plans in accordance with the California Public Utilities Commission General Order 131-D mandatory process.

4-4  The statement in Section 4.7 regarding exposure to 2 mG of EMF within habitable structures had been written to address local guidelines that were prepared by the County of Santa Barbara and used by the City of Goleta upon incorporation. As stated in Draft EIR Section 4.7.2 (paragraph 3), “In the absence of a threshold, CEQA impacts are addressed on a case-by-case basis. For the purposes of this document, and consistent with previous environmental reviews, a significant impact caused by EMF would occur if ‘New development is exposed to ELF magnetic fields equal to or greater than 2 mG.’” That other local projects in the Santa Barbara County have not consistently relied on the 2 mG threshold is indicative of various agencies’ recognition of the overall lack of scientific evidence for health consequences to support any one specific threshold that meets the review necessary for all projects or project-types. In the absence of an exact scientifically supported threshold, the 2 mG threshold was relied upon in the DEIR as a point of reference, as it has been used locally, and because it is a conservative approach. However, as the commenter has noted, the EIR clearly qualifies the lack of direct health effects tied to this threshold. To help highlight this point, Section 4.7 Hazards and Hazardous Materials was revised to incorporate additional information relative to the lack of identifiable health consequences. In addition, examples of thresholds that have been adopted in other jurisdictions nationally have been added. Furthermore, as there is no significant scientifically verifiable relationship between EMF exposure and negative health consequences at 60 Hz EMF levels, Section 4.7 has been modified to consider a modeled range of 2 to a maximum of 15mG, which is significantly below the International Commission on Non-Ionizing Radiation Protection guidelines for general public continuous exposure of 833 mG, as provided in Table 4.7-2. Consequently, the impact was revised to be considered less than significant.

4-5  The commenter asserts that since there is not a scientifically founded direct link between EMF and health consequences, that discussion of EMF has no relevance to CEQA. The EIR correctly explains the lack of numerical limits or standards in CEQA Guidelines or within federal or state health and safety standards for EMF. However, contrary to the commenter’s assertion, under Subsection EMF and Public Health, the EIR provides a very similar discussion to that made by the commenter, with the exception that it does not purport that there is no relevance to CEQA. The commenter and this EIR make the same point as to the lack of scientific basis for health concerns for any level of EMF exposure or the 2 mG level that is referenced. By providing the discussion of EMF and Public Health, the EIR simply provides the public with the basis for why an EIR would include such a discussion to begin with; that is, that the health consequences are unknown, but that the public should be made aware of the presence of EMF. It is prudent to include the basis for why a discussion of EMF is included this EIR (i.e. the current state of health related concerns and lack of evidence to either support or negate such concerns). It is established
in many CEQA documents throughout the state that it is, in fact, in the spirit of CEQA to disclose levels of EMF exposure, regardless of sound evidence that proves adverse health consequences for specific levels.

Furthermore, as recognized by the commenter in Comment 4-6, the CPUC has established “precautionary” mitigation measures to reduce EMF. This EIR follows the same spirit as the CPUC’s decisions to provide “precautionary” disclosure to future residents.

4-6  The commenter references the CPUC Decision No. 93-11-013, a 1993 decision that was reaffirmed in 2006, to the provide “precautionary measures” to reduce EMF where feasible, as direct health consequences have not been established. A general description of this decision and the requirements for precautionary measures including the four percent project cost benchmark are described in the EIR within the Regulatory Framework subheading of Section 4.7 Hazards and Hazardous Materials. In addition, general descriptions of design reduction measures are provided under the subheading EMF Reduction. It is not necessary to list all the contents of the regulations that are in place. Under the legal requirements of these CPUC policies, SCE would require the appropriate reduction measures through the engineered design review. EIR mitigation would only be warranted to the extent that it would have nexus to an impact and would provide impact reduction greater than regulations currently in place, such as Decision No. 93-11-013. The Regulatory Framework subsection of Section 4.7 Hazards and Hazardous Materials has been amended to include statements regarding the 2006 CPUC affirmation of the 1993 decision and SCE’s EMF Design Guidelines.

9.1.5 SCOTT MORGAN, CALIFORNIA OFFICE OF PLANNING AND RESEARCH, NOVEMBER 22, 2011

5-1  It is noted that the EIR is in compliance with the State Clearinghouse review requirements and that no state agencies has submitted comments.

9.1.6 LESLIE LUND, NOVEMBER 6, 2011

6-1  It is recognized that while some residents of Pacific Glen may use the main drive through the project commercial component to the Marketplace Drive intersection a left-turn will now be allowed to travel eastbound on Hollister Avenue from Glenn Annie Road. Section 4.13 Transportation and Traffic provides a description of the project generated traffic as well as the changes in existing traffic patterns that could occur as a result of the project. The level of service for affected intersections and roadway segments is discussed. Safety concerns are directly related to the level of service. Mitigation is required where impacts would significantly decrease the level of service and related safety of the traffic operations. Furthermore, the California Vehicle Code establishes mandatory traffic laws that are designed to ensure safety, and more restrictive traffic measures are beyond the scope of this EIR.

Subsequent to the DEIR public review period, the applicant also proposed to install a traffic signal at the intersection of Glen Annie Road and Hollister Avenue and supplemental traffic analysis was conducted. The analysis is summarized in Section 4.13 Transportation and Traffic and is included in Appendix H. The signalization would provide additional egress options for the residents of the project and Pacific Glen developments, by providing a three-way signalized intersection at Glen Annie/Hollister Avenue and a signal at the four-way intersection at Marketplace Drive/Hollister Avenue.
6-2 Section 4.17 Transportation and Traffic includes a discussion of the project impact to the level of service to the Storke Road north of Hollister Avenue roadway segment, the intersection of Storke Road and Hollister Avenue, and the Hollister Avenue roadway segment west of Storke Road. Project impacts to the Storke Road segment north of Hollister Avenue would be reduced to less than significant levels with Mitigation Measure TR 2-1, as provided. Mitigation Measures TR 3-1 and TR 7-2 would reduce the project’s impacts to the intersection of Hollister Avenue and Storke Road to less than significant levels. The project would not significantly impact Hollister Avenue west of Storke Road (Table 4.13-10).

6-3 The project would include both perpendicular and angled parking along the west side of Glen Annie Road. This provision for parking was made as a result of requests from the residents of the Pacific Glen development during the project’s scoping period. The residents requested the parking as they were currently using the west side of the road for parallel parking. As provided in the project description, the parking spaces would be angled along the stretch of road south of the residential component entrance and the entrance to the Pacific Glen units at Sespe Lane, so as to prevent parking from impeding the flow of traffic northbound on Glen Annie Road. Perpendicular parking is limited to the stretch of road north this intersection where through traffic would not likely occur.

6-4 The project would be consistent with the zoning designation and related development standards regarding the density of units, floor space of commercial buildings, height, and setbacks. A reduced project alternative (Alternative 3) is discussed in Section 6.0 Alternatives; however, this alternative does not meet all of the project objectives.

Visual resource impacts, including impact to the Pacific Glen residential units is provided in Section 4.1 Aesthetics. Impact AES 8 pertains to the commenter’s concern, and was determined to be less than significant. The project incorporates, by design, lower profile buildings and open space along the eastern boundary that minimize adverse impacts.

9.1.7 LUIS AND GENTRY ZUZUNAGA, NOVEMBER 4, 2011

7-1: Section 4.3.3 evaluates impacts to biological resources, including Sensitive Wildlife Species and Habitat (Impact BIO 6). For the purposes of this analysis, the term “sensitive” is used to denote those species that meet the criteria of CEQA Guidelines Section 15380 as an endangered, rare, or threatened species, whether or not officially listed, as provided in Section 15380(d). Additionally, as directed by CEQA Guidelines, Section 15125(a), resources that are rare or unique to the region were also considered. No sensitive species were observed during biological surveys of the site in 2005 or in 2010, and no animals would be relocated as a result of a “sensitivity” status. There is no evidence to suggest that a development over the vacant portion of land would cause “pests” that may inhabit the area to voluntarily relocate to adjacent residential areas. Alternatively, the development would likely reduce the carrying capacity of the area to support “pests” as there would be a reduction in their more natural habitat. While the commenter’s concern is noted, it is not deemed a potential impact requiring further analysis in the EIR.

7-2 The traffic analysis provided in Section 4.13 Transportation and Traffic includes the roadway segment analysis of Hollister Avenue between the intersections of Storke Road and Marketplace Drive. The project would accommodate approximately 726 residents,
which would increase traffic at Hollister Avenue west of Storke Road (between Storke Road and Marketplace Drive), and at the intersection of Hollister Avenue and Marketplace Drive, not “thousands” of new residents. However, it is noted that traffic besides residents includes commercial customers and employee traffic for the commercial component of the project. Based on the traffic analysis, the project would increase the existing daily volume on this segment of Hollister Avenue from approximately 26,300 Average Daily Trips (ADT) to approximately 30,827 ADT, and cumulatively (inclusive of other foreseeable developments) the ADT would increase to 32,416, which is below the level of service capacity threshold of 34,000 ADT; and therefore, is correctly considered a less than significant impact to the roadway segment.

Tables 4.13-11 and 4.13-12 detail the respective AM and PM peak hour cumulative traffic with project traffic impacts to the intersections referenced by the commenter. Since the Draft EIR was circulated for public review, the applicant has added signalization of the Hollister Avenue/Glen Annie Road intersection to the project. The impact analysis has been revised accordingly, and assumes the project improvements to the Hollister Avenue and Glen Annie Road would be implemented prior to the project-generated traffic and this intersection operations would be improved from and LOS C to a LOS A during AM peak hours and improved from LOS D to LOS B during PM Peak hours. The intersection of Hollister Avenue and Marketplace Drive would continue to operate at LOS A for AM peak hour and PM peak hour conditions. These impacts are correctly identified as less than significant. The EIR identifies significant impacts with regard to the project’s contribution to traffic at the intersection of Hollister Avenue and Storke Road and provides Mitigation Measures TR 2-1 and TR 7-2 requiring improvements to this intersection that reach an allowable level of service.

It appears the mailing address of the commenter is located within the Pacific Glen apartments east of the project along Glen Annie Road, and the comment appears to relate to access to Glen Annie Road from Hollister Avenue and vice-versa. As shown in Table 4.13-9, east-bound traffic would access Glen Annie Road at a left-hand turn with a 160 feet of queue storage, and a forecast queue requirement of 20 feet under both the existing condition and existing plus project condition.

Currently, left turns onto Hollister Avenue from Glenn Annie Road are allowed and controlled by a stop sign on the southbound Glen Annie Road approach. However, according to the City’s Goleta Transportation Improvement Plan (GTIP), there would not be enough gaps in traffic volumes along Hollister Avenue to allow left turns from southbound Glen Annie Road onto Hollister Avenue (eastbound) as traffic volumes continue to increase on Hollister Avenue. As such, the project would provide a traffic signal and crosswalks at the Hollister Avenue/Glen Annie Road intersection. This signal would accommodate the southbound left-turns onto Hollister Avenue and would allow pedestrians to safely cross Glen Annie Road and Hollister Avenue at this intersection.

Also, the GTIP recommendations include construction of a new roadway that would connect Glen Annie Road north of Hollister Avenue to the Hollister Avenue/Marketplace Drive intersection to provide an alternative to using the Hollister Avenue/Glen Annie Road intersection. The project includes this new roadway (see Figure 2-3 in Section 2.0 Project Description) in accordance with the GTIP, which would allow residents from the neighborhood of the commenter’s residence to access eastbound Hollister Road from a signalized intersection. As described above, with improvements in place these
intersections at Hollister Avenue and Marketplace Drive and Hollister Avenue and Glen Annie Road would operate at acceptable levels of service. Therefore, commenter's concerns are correctly addressed in Section 4.13 Transportation and Traffic.

7-4 As stated in Section 4.9 Land Use and Planning, the project would enhance and increase the number of on-street parking stalls on Glen Annie Road available to the public from 64 to 79 public parking stalls, a net increase of 15 stalls. Members of the public, including the Pacific Glen apartments tenants would be allowed to use these parking spaces. It is noted that the Pacific Glen residents have reported a lack of adequate parking within their development. The Pacific Glen residential development should provide a total of 158 parking spaces for its residents based on current parking regulations, while only 142 spaces are currently supplied within that development.

Although it is not the responsibility of this project to offset a parking deficit for the Pacific Glen development adjacent, by providing additional stalls on Glen Annie Road, this project would accommodate unmet parking requirements for the demand from the Pacific Glen residential development. The project is not anticipated to create its own demand for off-site parking (as discussed in Response to Comment 7-5). This effect of the project is correctly identified as a “Beneficial Impact” (Impact LU 5).

7-5 The project would provide 921 parking spaces on the site, with 360 spaces for commercial uses, 551 spaces for the apartment units, and 10 spaces for the live-work units. Pursuant to the Inland Zoning Ordinance (IZO) Parking Requirements, as summarized in Table 4.9-2, the total parking requirement for the project would be 764 spaces. The project’s 360 spaces for commercial uses would exceed the IZO requirement of 221 spaces, which would provide a buffer for peak parking periods. The project’s 551 parking spaces for the apartments and 10 spaces for the live-work units would exceed the IZO requirement of 531 spaces and 10 spaces, respectively. In addition to the analysis of IZO requirements that demonstrate the project’s adequacy of parking supply, this evaluation provides additional research and documentation for other existing local residential projects, which is summarized in Tables 4.9-3 and 4.9-4. Each of these analyses also concludes that the project would provide more than adequate parking spaces to serve the proposed development. Therefore, the project is expected to improve the parking to address the commenter’s concerns.

7-6 According to the calculations provided in Table 4.10-7, the project would increase traffic noise levels on Hollister Avenue by up to +0.7 dB, which would be an increase of less than +3.0 dB. This increase is therefore correctly identified as a less than significant impact. The increased noise from added traffic on Glen Annie would be less than 0.5 dB, which is an imperceptible change.

Noise anticipated to be generated by the commercial facilities was evaluated in relation to impacts on on-site residences of the project. These impacts were determined to be potentially significant, but mitigable to less than significant levels. As such, these impacts on off-site residences would either be less than significant, or mitigable to less than significant levels.

Typical loading dock activity noise for a medium sized grocery store is 60 dB at 30 feet. For this reason, the loading dock is located along the western side of the market and is partially enclosed within a wall. The nearest residential use would be located...
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approximately 300 feet north of the loading dock and would be approximately 10 feet up-slope of the market building. Distance between the land uses would provide approximately 40 dB of noise attenuation. Additionally, the slope itself would function as a noise dampening berm, reducing ambient noise from the commercial center between 5 to 10 dBA while the loading dock wall would reduce noise by at least +3 dBA. Noise from unloading is, therefore, not anticipated to create a significant noise nuisance impact.

Maximum pass-by noise during heavy-duty delivery truck movement is typically 78 dB at 50 feet or 72 dB at 100 feet (FHWA 1998). Maximum pass-by noise generated by medium-duty trucks is in the low 70 dB range at 50 feet. This noise, which would occur for 5-10 seconds for each truck, would not cause an exceedance of Goleta noise standards based on a CNELs, which is a daily weighted average. However, pass-by truck noise could be a nuisance at the residential units closest to the roadway if it occurs between 7:00 PM and 7:00 AM when there is greater noise sensitivity. The EIR correctly identifies this as a potentially significant noise nuisance impact.

Rear-of-store activities including deliveries and trash collection could generate noise that would be perceptible from sensitive uses on-site. Typical shopping center rear-of-store activities generate hourly Leqs of 55 dB at 25 feet based on observations at similar centers. Distance separation would reduce this level to 49 dB Leq at 50 feet or 43 dB Leq at 100 feet. West of the main driveway, the closest commercial buildings (Buildings C and D) and residential uses are separated by a horizontal distance of approximately 70 feet (between Buildings 4 and C) and eight to ten feet of grade separation between. This could provide between a 8 to 10+ dBA reduction in noise levels at ground level and above within the residential area west of the main driveway. East of the main driveway, about six feet of grade separation and 110 feet of horizontal separation would exist between the closest commercial and residential buildings, resulting in noise attenuation of approximately 13 dBA. Accordingly, noise generated by rear-of-store activities would be approximately 44 dBA at the closest residence west of the main driveway and 42 dBA east of the main driveway. Even if rear-of-store activity occurred for 12 daytime hours, the CNEL would be 44 dB, which is less than the 65 dB CNEL significance threshold. Also, the noise levels associated with rear-of-store activities at the closest residences would not be high enough to result in a significant nuisance impact.

The project would include on-site management of the residential and commercial facilities, parking availability within close proximity of units, adequate parking lot and building lighting, and adequate Sheriff's Department patrol car access. The project and associated population would not result in the need for additional police protection services that require alteration of existing facilities or the construction of new facilities. In addition, the project would be required to contribute Development Impact Fees that would be used to support police services for the area. Section 4.11 Public Services correctly identifies project related to “crime probability” impacts on police services as less than significant.

An analysis of the scale of the proposed project relative to the surrounding neighborhood buildings is detailed within the Visual Character analysis of Section 4.1 Aesthetics, including Tables 4.1-1, 4.1-2, 4.1-3, and 4.1-4 that list relative pad elevations, buildings heights, and overall heights.
Also, the project site consists of two parcels: a 1.23-acre lot (Parcel A) that the City’s General Plan Land Use Map designates as Office and Institutional (I-OI) and is currently zoned Industrial Research Park (M-RP), and a 22.32-acre lot (Parcel B) that is designated Medium-Density Residential (R-MD), which permits a minimum residential density of 15 dwelling units per acre and has a target residential density of 20 dwelling units per acre. Using the R-MD designation and a maximum density of 20 units per acre, the site could be developed with up to 447 residential units\(^1\). At 2.6 persons per unit, this alternative would result in a maximum number of residents of 1,162 persons. Parcel B is also currently zoned Mobile Home Subdivision with an Affordable Housing Overlay (AHO), permitting a residential density of up to 12.3 units per acre (MHS/AHO DR-12.3) of mobile home. As such, Parcel B alone is zoned for a target level of residential development of 334 to 447 units, or with the Mobile Home Subdivision permitted by the AHO, a total of 274 mobile home units are permitted on Parcel B. The project is designed in accordance with the DR-20 zoning standards and R-MD land use designation recommended building intensity standards. The project’s residential development density would be lower than that currently designated for this site; however, the project’s density would be consistent with the level of residential development envisioned by the City’s General Plan.

Based on the thorough analysis within Section 4.1 Aesthetics, the EIR correctly identifies a less than significant impact on the character of the surrounding development.

9.1.8 BETTY JEPPESEN, ISLAY INVESTMENTS, NOVEMBER 8, 2011

8-1 The commenter references a previous comments letter dated August 23, 2010, which is included herein, and responses are provided.

8-2 The project would provide a traffic signal and crosswalks at the Hollister Avenue/Marketplace Drive and Hollister Avenue/Glen Annie Road intersections, which are in addition to the GTIP improvements required. These signals would accommodate the southbound left-turns onto eastbound Hollister Avenue. Westbound traffic U-turns at the intersection of Hollister Avenue and Marketplace Drive would continue to be prohibited.

The project would provide a main driveway that would allow residents of the project and Pacific Glen and customers of the project to make left-hand turns onto eastbound Hollister Avenue at a signalized intersection at Marketplace Drive and Hollister Avenue. With the added signalization of the intersection of Hollister Avenue and Glen Annie Road, vehicles would be less likely to use The Plaza’s driveway or parking lot to turn-around and exit The Plaza in order to head eastbound than they are under current conditions. As shown in Tables 4.13-7, 4.13-8 and Tables 4.13-11, 4.13-12, the intersection of Hollister Avenue and Marketplace Drive is forecast to operate at LOS A conditions during both the Existing Plus Project and Cumulative Plus Project conditions. Thus, traffic congestion from vehicles impeded from turning directly east via the southbound left-turn movement (as cited in the comment) is not expected to occur. In addition, the commenter’s concerns are addressed further in Section 4.13 Transportation and Traffic.

\(^1\) The General Plan growth Scenario 7 assumes the project site contains up to 467 units.
9.0 RESPONSE TO COMMENTS

8-3 Comment Noted

8-4 Please refer to Response to Comment 8-2.

The number of residents for a project is not typically calculated on a per bedroom basis. As provided in Section 2.0 Project Description, the project would accommodate approximately 726 residents, a rate of 2.6 persons per household.

8-5 Comment Noted. This is addressed in Response to Comment 8-2.

8-6 Comment Noted. This is addressed in Response to Comment 8-2.

8-7 Comment Noted. This is addressed in Response to Comment 8-2.

9.1.9 JUSTIN M. RUHGE, NOVEMBER 9, 2011

9-1 The commenter is referring to the railroad cut traversing the northern portion of the site that formerly supported the Coast Line between 1887 and 1902. Section 4.4 Cultural Resources describes the historical significance of this railroad cut and the impacts of the project. Contrary to the comment, this is not the only “artifact” of the railroad that remains within the City limits. Section 4.4 Cultural Resources describes this cut as “one of, if not the last, remnant segments of the 1887 alignments.” It is possible that other remnants of “segments” exist within the City limits that have yet to be fully evaluated. Other “artifacts” exist and can be viewed at the South Coast Railroad Museum on Los Carneros Road. Regardless, the EIR recognizes the significance of the remnant cut segment and determine that the elimination of the cut would be a significant (Impact CR 1). Mitigation to minimize the impact is provided (Mitigation Measures CR 1-1, CR 1-2, and CR 1-3. Subsequent to the public circulation of the Draft EIR, it was determined that the impact could be adequately mitigated to a less than significant level; and as such, the residual impact of CR 1 was reduced to Class II, less than significant with mitigation incorporated. Mitigation Measure CR 1-3 was revised to include additional historical names significant to the original engineering of the railroad through the Goleta area, as provided by Mr. Gary Coombs of the South Coast Railroad Museum.

9-2 The commenter is correct, in that Mitigation Measure CR 1-2 requires surveyed markers, and Mitigation Measure CR 1-3 requires street naming to commemorate the significance of the railroad.

9-3 Alternative 3, described in Section 6.0 Alternatives was analyzed in terms of its reduction of impacts to the railroad cut by preserving the most prominent easternmost portion of the cut.

Maintaining this site as a park would not achieve the objectives of the project and would not achieve the City General Plan anticipated uses of the site, to provide residential opportunities. A park is determined to be infeasible and unwarranted based on the existing and proposed recreational and open space provisions within the City.

It is assumed that the commenter’s request for a marker and “diarama” of the past route and development is essentially achieved through Mitigation Measure CR 1-2, which requires markers, filling the alignment with contrasting materials that visually
demonstrate where the 1887 alignment was located, and a plaque describing the historical significance.

9-4 Comment Noted.

9-5 The News Press article on the railroad history, as provided by the commenter, is included herein for the decision-makers' consideration.

9.1.10 PATRICIA MORENO, NOVEMBER 21, 2011

10-1 The project would provide 279 residential units and an estimated residential population of 726 residents. Of these 279 residential units, 274 are residential apartment units, which are “affordable by design.” The project would provide housing to offset all new employment opportunities onsite, provide additional housing opportunities for the community and help maintain an appropriate jobs-to-housing balance. Additionally, the project includes a mitigation measure for the permittee to deposit with the City an inclusionary housing in-lieu payment, which would be used to construct additional affordable housing.

A rental affordability restriction is not proposed nor does the Housing Element require affordability restrictions for rental projects to encourage construction of additional rental units. Local workforce housing demand includes demand for rental units. If the project were to be converted to condominiums at some future date, a new planning application and associated environmental review would be required.

10-2 The project commercial building coverage of 21 percent is within the 30 percent allowed for by the Shopping Center (SC) zoning. The project would result in a 90,054 sf (or 88,704) shopping center intended to meet both the everyday needs of the surrounding residential neighborhoods and to provide opportunities for residents to obtain goods and services not now available in the City, especially in the shopping center’s smaller suites and live/work units. The additional local residents that may be accommodated by the residential component of the project would further increase demand for the project’s commercial (shopping center) component. Although there may be a number of vacant office or retail stores buildings locally at the time of this EIR, such vacancy is attributed to an unusual economic slowdown, is expected to be short-term as demand for housing, employment, and retail space in the area is expected to increase in the near future (Santa Barbara County Association of Governments Regional Growth Forecast 2005-2040, August 2007). The shopping center has been designed to serve as a community focal point creating a link with the Camino Real Marketplace and includes numerous outdoor gathering places. Per the SC zone district standards, up to 18,010 sf of the shopping center could be used as professional and commercial office, nearly double the existing office space located on-site. The very nature of a retail/office development at this location would support a need for a mix of industries and economic activities that, in combination with other industries in the City, would contribute to a wide range of local employment opportunities and wage levels to avoid over reliance on any one economic sector. A marketing analysis would have had to demonstrate that there would not be a significant amount of vacancy in order for the project to proceed financially. However, that analysis is not a part of the CEQA environmental review process.

10-3 The commenter is referring to the “Project Development” section that states: “The site is designed to promote pedestrian and vehicular connectivity between the two uses.
Live/work condominiums combine the two uses and introduce an ownership component into the project mix." The commenter is questioning how the project would introduce ownership. The condominiums are would be owned, not rented. The commenter appears to be interchanging the "rental units" with the "live/work" units, which are not equivalent.

10-4 The commenter is correct that Parcel B is currently being zoned “Mobile Home Subdivision”, with an Affordable Housing Overlay (AHO). Parcel B is also designated Medium-Density Residential (R-MD) in the City of Goleta General Plan. Please refer to Response to Comment 7-8 for a discussion of development potential, and Response to Comment 10-1 for a discussion of affordable development.

10-5 Although the structures may be at a different scale than some existing structures to the west of the site, the development would be generally compatible with the overall character of the Hollister Avenue corridor. The EIR identified mitigation to further integrate the project with surrounding land developments, to preserve and protect the ridgeline views and limit degradation of the character and visual quality of the site to the maximum extent feasible while still allowing development onsite. Mitigation includes receiving final approval from the Design Review Board (MM AES 1-1), verifying height of structural development (MM AES 1-2), screening utilities (MM AES 3-3), undergrounding distribution lines (MM AES 3-4), preparing a composite utility plan (MM AES 3-5), provision of trash/recycling enclosures (MM AES 3-6), landscaping requirements (MM AES 3-7), Hollister Avenue landscaping restrictions (MM AES 5-1) and exterior lighting requirements (MM AES 9-1).

The project’s design has been presented before the Design Review Board on four separate occasions, spanning November 2009 through November 2011. At each appearance the board members complimented the project on the quality of the site, architectural and landscape design. Additionally, the project design is sensitive to the adjacency of structures to surrounding uses, and has been designed to achieve the advantages of coordinated site planning creating a connection to an existing residential neighborhood and transitioning the residential uses to existing and new commercial uses along the Hollister Avenue corridor.

10-6 Please refer to Response to Comment 7-6.

10-7 The statement that Pacific Glen residents would “have to use [the Project’s] private road to be able to turn right onto Hollister” is incorrect. It is assumed that the commenter intended to say “residents would have to use this private road to be able to turn left onto Hollister.” This southbound left-turn (onto eastbound Hollister Avenue) from Glen Annie Road will now be allowed through installation of a traffic signal. Please refer to Response to Comments 6-1 and 7-2.

10-8 A traffic analysis was conducted to determine the operating conditions of critical intersections during peak travel periods within the project study area. Intersection operations are rated using Levels of Service (LOS) A through F, with LOS A indicating free flow operations and LOS F indicating congested operations (more complete definitions of levels of service are included in Appendix H). The minimum acceptable operating level for intersections within the City is normally LOS C, but the City has accepted a LOS D at the Storke Road/Hollister Avenue intersection.
Existing peak hour volumes at the study-area intersections were obtained from turning movement traffic counts conducted in November of 2009, February 2010, August 2010, and February 2011. The AM peak hour occurs between 7:00 AM to 9:00 AM and PM peak hour occurs between 4:00 PM to 6:00 PM. These periods are considered peak since they capture the commuter period. Figure 4.13-2 shows the existing traffic controls and lane geometries for the study-area intersections, and Figures 4.13-3 and 4.13-4 present the existing AM and PM peak hour traffic volumes for these intersections, respectively.

Levels of service were calculated for the signalized intersections using the Intersection Capacity Utilization (ICU) methodology, and levels of service for the un-signalized intersections were calculated using the methodology outlined in the Highway Capacity Manual (HCM). It is the standard practice of the City (along with all local jurisdictions in Santa Barbara County and the Santa Barbara County Association of Governments) in meeting the requirements of CEQA, to use the highest critical 1-hour AM and PM peak hour traffic volumes to determine the intersection operating conditions. In addition, the City of Goleta’s traffic impact thresholds were utilized to determine the project’s significant impacts and cumulative impacts. These studies have been prepared and peer reviewed by traffic engineers. The traffic impact study was determined to be prepared in accordance to standard traffic engineering practices and followed the City of Goleta’s methodologies and criteria.

10-9 The commenter’s assertion that Section 4.13 Transportation and Traffic is subjective is not true. Internal driveways/road are required to meet the City’s engineering design standard for widths, turning radii, and emergency vehicle access. In addition, Linscott, Law and Greenspan Engineers (LLG) conducted a peer review of the traffic, circulation and parking study and provided comments to the project applicant team. The comments were then addressed and incorporated into the EIR traffic study (included in Appendix H). LLG has determined that the overall traffic analysis follows the City of Goleta’s traffic study procedures and traffic impact assessment criteria.

10-10 The commenter does not define “housing deficit”. The project would result in new housing. The project would minimally increase the Citywide population by 2.5 percent and increase the workforce by 1.1 percent. The project site does not currently provide any housing units. Therefore, the proposed project would not displace existing housing units or residents. Also, please see Response to Comment 10-1 for rental/ownership discussion.

10-11 The statement that “all alternatives that are feasible were [sic] not fully explored” is incorrect. Section 15126.6 of the CEQA Guidelines Section states that “an EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project, but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives.” Alternatives suggested by the commenter have been noted and taken into consideration.

10-12 Alternatives suggested by the commenter have been noted and taken into consideration.

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10-13 Alternatives suggested by the commenter have been noted and taken into consideration.

10-14 Alternatives suggested by the commenter have been noted and taken into consideration.

10-15 Commenter states that the “DEIR statistics are subjective and are gravely underestimated,” which is incorrect. This DEIR was prepared in accordance with the California Environmental Quality Act (CEQA) of 1970 and the CEQA Guidelines. None of the statistics are subjective or underestimated.

9.1.11 BETTY JEPPESEN, NOVEMBER 21, 2011

11-1 Responses to the November 8, 2011 letter are provided above under Section 9.1.8. It is recognized that Islay Investments owns The Plaza on Hollister Avenue opposite the project site.

11-2 This comment pertains to the City’s General Plan FSEIR and not this Westar Mixed-Use Village EIR. Thus, the operating conditions cited in the comment for the Hollister Avenue/Pacific Oaks Road and Hollister Avenue/Storke Road intersections were based on the General Plan EIR traffic analysis. Furthermore, the Santa Felicia/Hollister Avenue intersection was analyzed pursuant to the City of Goleta’s methodology in the Westar Mixed-Use Village EIR traffic study. As shown in Tables 4.13.11 and 4.13.12 of the EIR, the Santa Felicia/Hollister Avenue intersection is forecast to operate at LOS C conditions during the Cumulative Plus Project AM and PM peak hour analysis conditions.

11-3 This comment pertains to the City’s General Plan FSEIR and not this Westar Mixed-Use Village EIR. Thus, the proposed improvement cited in the comment for the Hollister Avenue/Pacific Oaks Road intersection was based on the General Plan EIR traffic analysis.

11-4 This comment pertains to the City’s General Plan FSEIR and not this Westar Mixed-Use Village EIR. Thus, the impacts and mitigation cited in the comment were based on the General Plan EIR traffic analysis.

11-5 This comment pertains to the City’s General Plan FSEIR and not this Westar Mixed-Use Village EIR. Please refer to Response to Comment 11-2.

11-6 The commenter appears to be commenting on the City’s General Plan FSEIR and not the subject Westar Mixed-Use Village EIR. As shown in Pages 16 and 17 of the traffic study, as included in Appendix H, the findings of the traffic study were based on the appropriate distribution and assignment of project-related traffic and the potential impacts to and from the west of the project site were therefore fully evaluated.

11-7 Please refer to Response to Comments 7-2, 7-3, 8-2, and 8-4 above for a discussion of the proposed improvement at the Hollister Avenue/Marketplace Drive and Hollister Avenue/Glen Annie Road intersections, which will facilitate direct vehicular access to eastbound Hollister Avenue.
This comment pertains to the City’s General Plan FSEIR and not the subject Westar Mixed-Use Village EIR. Refer to Response to Comments 11-2. Please refer to Response to Comments 8-2, 8-4, 11-2, 11-3, and 11-6.

9.1.12 CYRIL HUMPHRIS, NOVEMBER 21, 2011

The commenter appears to be commenting on the discussion in Section 4.13.4 Cumulative Impacts of the traffic analysis. This discussion describes the planned improvements within the City’s traffic model, which includes an extension of Phelps Road from Storke Road to Los Carneros Road. This improvement is discussed as it provides a baseline for the cumulative traffic and routes that would affect traffic flow in the future. However, this extension of Phelps Road is not a component of the project. Any comments regarding the environmental impacts for the extension of Phelps Road would need to be provided under the discretionary approval and any CEQA process for those improvements. It is not within the scope of this EIR to consider the impacts as a result of that City planned improvement.

9.1.13 MICHAEL TOWBES, NOVEMBER 21, 2011

The circulation plan presented in the EIR includes a new road connection from Glen Annie Road that traverses the site and connects to the Hollister Avenue/Marketplace Drive intersection. The new roadway would allow traffic from 6900 and 6950 Hollister Avenue properties (and traffic from Pacific Glen Homes) to access Hollister Avenue at the Hollister Avenue/Marketplace Drive traffic signal.

Following the public review period for the Draft EIR, the applicant has amended the project to retain the Hollister Avenue/Glen Annie Road intersection with full access to remain and a traffic signal to be installed. Refer to Response to Comments 7-2, 7-3, 8-2 and 8-4 for further discussion.

Responses to comments provided in the Orosz Engineering Group letter are provided below.

Westbound U-TURNS are not currently allowed at the Hollister Avenue/Marketplace Drive intersection because the signal is configured with a right-turn overlap arrow for the northbound right-turn movement. The overlap arrow provides extra green time and capacity for the heavy right-turn volume (over 400 peak hour trips) exiting the Camino Real Marketplace Center onto Hollister Avenue. Given that the westbound U-turns demand would be relatively low (less than 20 peak hour trips), the most efficient and effective traffic signal operations is to maintain the westbound U-turn restriction with the northbound right-turn overlap arrow. The project does not propose to change these attributes of the existing signal operations.

U-TURNS are not allowed on the southbound approach at the Hollister Avenue/Storke Road intersection because there is not enough width to accommodate the U-turn movement. The distance between the inside left-turn lane and the right-turn channelizing...
island on the east side of the intersection is about 42 feet. A minimum width of 45 to 47 feet is required to accommodate U-turns.

The following are responses to the November 21, 2011 memorandum prepared by Stephen Orosz of Orosz Engineering Group, which is incorporate by reference into the Michael Towbes letter discussed above.

13-5 First, the statement that a development project must have been anticipated in the GTIP analysis to be eligible for fee credits related to construction of GTIP improvements is not correct. Neither the AB 1600 mitigation fee legislation nor the GTIP itself state this requirement.

Second, development of the Westar site was assumed in the City's traffic modeling efforts that were completed for the General Plan buildout analysis. That analysis was used to develop the Capital Improvement Project (CIP) list that formed the basis of the current GTIP. The modeling analysis assumed development of the Westar site with apartment units. An additional General Plan buildout analysis was completed for the Westar Project that confirmed that the GTIP improvements would accommodate the increased traffic that would be generated by the current mixed-use project. Thus the current project is correctly accounted for in the GTIP and is eligible for fee credits related to the construction of GTIP improvements.

13-6 Subsection 4.13.6 Residual Impacts of Section 4.13 Transportation and Traffic of the Draft EIR addresses the residual impacts following implementation of mitigation. This subsection refers to the “Traffic and Circulation Study provided in Appendix H for levels of service following implementation of these measures.” The intersection levels of service with mitigations are listed in Tables 18 and 19 and discussed on pages 43 through 47 of the Study.

13-7 The existing average vehicle delay for the Hollister Avenue/Glen Annie Road intersection is 24.2 seconds per vehicle during the weekday PM peak hour (see page 4-13.9 of the DEIR), which is at the LOS C-D cusp (LOS C-D = 25 seconds per vehicle). These delays indicate that the Hollister Avenue traffic stream provides limited gaps and thus drivers are required to wait during peak periods for turning left from Glen Annie Road. Gaps will diminish as traffic continues to grow along Hollister Avenue and operations will eventually degrade to LOS D (or worse), indicating that modification of the intersection will be required in order to meet the City's LOS C standard.

Section 4.13 Transportation and Traffic was amended to retain full access for the Hollister Avenue/Glen Annie Road intersection under traffic signal control.

13-8 See Response to Comment 13-3. Section 4.13 Transportation and Traffic was revised to include the existing and proposed signal operations at the Hollister Avenue/Marketplace Drive intersection.

13-9 Section 4.13 Transportation and Traffic and the traffic study do not assume an all-way stop. There is an existing stop-sign on the westbound Sespe Lane approach. The traffic study assumes that a stop-sign will be required on the new eastbound approach to the intersection. Thus, the intersection would be configured as a standard 4-way intersection
with stop signs on the side street approaches (i.e., the existing westbound and future eastbound approaches).

13-10 As provided in Section 4.13 Transportation and Traffic, Impact TR-1 identifies a potentially significant impact at the internal central intersection within the project site. Accordingly, Mitigation Measure TR 1-1 is required to make this a controlled all-way stop, and for minor modifications to be made to the curb lanes. Collectively, stop signs and a corrected alignment would result in a less than significant impact.

13-11 Refer to page 15 of the traffic study, as included in Appendix H, for further discussion of primary, diverted link, and pass-by trip methodologies. The 133 P.M. peak hour trips referred to in the Orosz comment are pass-by trips (not all are diverted as stated by Orosz). Pass-by trips were accounted for at the project access points along Hollister Avenue pursuant to ITE standard practices (pass-by trips are subtracted from Hollister Avenue through movements). The 24 trips from Storke Road are diverted trips from that corridor. Diverted trips were accounted for at the Storke Road/Hollister Avenue intersection pursuant to ITE standard practices (diverted trips are subtracted from Storke Road through movements and re-route to the project site and then return to Storke Road after patronizing the project uses).

13-12 First, the commenter states that 133 P.M. peak hour trips are diverted trips. This is not correct. The 133 P.M. peak hour cited in the comment are actually pass-by trips that come from Hollister Avenue.

Second, the distribution figure does includes all of the pass-by trips, and not just 24 trips as stated in the comment. For the 66 P.M. peak hour inbound trips, 42 pass-by trips enter the site via the main driveway on Hollister Avenue at Marketplace Drive and the other 24 pass-by trips enter the site at Glen Annie Road. For exiting traffic, the 67 outbound pass-by trips utilize the driveway on Hollister Avenue at Marketplace Drive and the westerly driveway on Hollister Avenue.

13-13 The pass-by and diverted trips are shown correctly on the figure. As reviewed in Response to Comment 13-12, 42 of the inbound pass-by trips enter the site via the main driveway on Hollister Avenue at Marketplace Drive and the other 24 pass-by trips enter the site at Glen Annie Road, for a total of 66 inbound trips. Please also refer to Response to Comment 1-2.

13-14 Please refer to Response to Comment 13-3.

13-15 Please refer to Response to Comment 13-3 for further discussion of the Hollister Avenue/Marketplace Drive intersection and operations.

13-16 Following the public review period for the Draft EIR, the applicant has amended the project to retain the Hollister Avenue/Glen Annie Road intersection with full access to remain and a traffic signal to be installed. Traffic volumes at the intersection would meet the minimum volume warrants for consideration of traffic signals when project traffic is added.
The General Plan FEIR, Impact 3.1-1a recognizes the impacts from loss of views from Hollister Avenue. Figure 3.1-1 of the General Plan FEIR identifies a 180-degree view of the Santa Ynez Mountains from Hollister Avenue directly along the frontage of the project site. This designation was assigned because of the site’s current state as vacant, which is correctly described within Section 4.1 Aesthetics of this EIR. Figure 3.10-2 of the General Plan FEIR designates the project site “Site 84.” Impact 3.1-1a specifically references “Site 84” as an underutilized site in which “northerly views available from Hollister Avenue could be impacted by development of vacant and underutilized land adjacent to the roadway in accordance with the GP/CLUP.” Therefore, the commenter’s assertion that the site’s vacant character was not considered in the General Plan designation of views to be protected from Hollister Avenue, or Hollister Avenue’s designation as a scenic corridor is not accurate. Furthermore, the fact that the site is designated in the General Plan for medium density residential or “substantial development,” as termed by the commenter, is irrelevant because the existing condition, as correctly established by this EIR, is not based upon a land use designation; rather, it is based upon the existing physical conditions of the site, which is vacant, undeveloped, and allowing for northerly views of the Santa Ynez Mountains. To determine that the project would impact the protected views is not only “reasonable,” it is also consistent with the General Plan FEIR.

It is concluded that a significant unavoidable impact (Impact AES 5) would occur with respect to the views of the Santa Ynez Mountains from Hollister Avenue as illustrated in the photo-simulations of the project shown in Figure 4.1-7. Based on the thresholds of significance, it was determined that the project would have a substantial adverse effect on a scenic vista, which is represented by the existing unobstructed views of the Santa Ynez Mountains from Hollister Avenue, a scenic corridor that accommodates a substantial amount of daily public vehicle, bicycle, and pedestrian traffic. Impact AES 5 pertains to that particular view (shown in Figure 4.7-1) and should be interpreted as constituting a “significant impact for the project as a whole.”

The project includes a General Plan Amendment and Rezone to allow the project to be consistent with the GP/CLUP and zoning designations.

The commenter suggests that an Alternative project be considered that would either be consistent with the existing general plan and zoning designation or be reduced in scale. Such alternatives are considered in this EIR. Please refer to Section 6.0 Alternatives for a description of the relative impact analyses for Alternative 1: No Project Alternative, Alternative 2: Redesign Commercial Component and Alternative 3: Redesign and Reduced Density Residential Alternative.

Impact AES 5 discusses project impacts regarding mountain views from Hollister Avenue. The project employs design strategies noted in General Plan Policy VH1.4 (Protection of Mountain Views), e.g., stepping of building heights away from the public viewing area and clustering of building sites and structures to reduce projects impacts on mountain views. However, project development would alter existing views, resulting in intermittent obstruction and partial obstruction of mountain views. A recommended mitigation measure (AES 5-1) is included to limit the height of landscaping features to
minimize the project’s obstruction of mountain views. Section 6.2 Alternative 2: Redesign Commercial Component provides a description of an alternative design to reduce aesthetic impacts to mountain views from Hollister Avenue. This Alternative may be infeasible as it would alter the marketability of the commercial retail component.

15-3 As stated under Impact AQ 3 (paragraph 3), the 2006 estimated ADT provided by SBCAG is noted, however, subsequent research of Caltrans records for 2009 show that the US 101 traffic volume adjacent to the project site was 33,000 ADT.\(^3\) Thus, based on the Caltrans data, traffic volumes adjacent to the project site are below the lowest ADT (41,000) where adverse health effects were observed. The Caltrans data also reports that US 101 will carry approximately 2,500 diesel trucks per day for the next 70 years (the diesel exposure risk window), which will emit 0.20 grams/mile/truck of DPM, or 12.5 gram/mile per meter of mixing zone width.\(^4\) Applying the ratio of DPM emission rates to associated health risks to estimate the excess cancer risk posed by freeway truck traffic for a resident remaining outside on the balcony for 24-hours per day for 350 days per year for the next 70 years, results in an increased cancer risk of approximately 2.5 in a million. Although such exposure assumptions do not reflect human behavior, they represent the standard (worst-case) analysis protocols. For this type of analysis, risks between 1.0 and 10.0 in a million would be considered less-than-significant, but require the use of reasonably available control measures for diesel exposure. The County APCD has reviewed the project and a response to the District comment relative to the recommended 500-foot setback is provided above in Response to Comment 2-5.

15-4 As stated in Response to Comment 15-3, the increased risk of 2.5 in a million for a resident remaining outside on the balcony for 24-hours per day for 350 days per year for the next 70 years, would be considered less-than-significant, but require the use of reasonably available control measures for diesel exposure. Such reasonably available control measure is provided by mitigation measure AQ 3-1. Additionally, mitigation measure AQ 3-2 (recommended) would offer reduced risks to residents beyond 500 feet from US 101.

15-5 As summarized in Section 4.2 Air Quality in Table 4.2-7, the project's emissions would exceed significance threshold levels as indicated in Table 4.2-7. Project-related transportation emission levels for the two ozone precursor pollutants (ROG and NOx) would exceed thresholds. Therefore, project operational air quality impacts would be considered significant as identified under Impact AQ 2.

For a discussion of consistency with the General Plan and zoning, please refer to Section 6.1 Alternative 1: No Project Alternative. Under General Plan build-out, the residential units on Parcel B plus the commercial Parcel A would generate approximately 3,338 vehicle trips per day. When compared to the project's 5,325 vehicle trips per day, this represents a reduction of approximately 1,897 vehicle trips. As summarized in Table 6.1-1, the proposed project would not increase any project related air pollution emissions by an increment exceeding APCD significance criteria. The future development of the site, either as currently accounted for in the 2010 Climate Action Plan (CAP) under the existing General Plan assumptions, or as proposed for the project, would create significant air quality impacts for ozone precursor emissions (ROG and

\(^3\) http://traffic-counts.dot.ca.gov/

\(^4\) Calculated using EMFAC2007.
NOx) due to traffic. Such emissions would be slightly higher under the proposed project as shown in Table 6.1-1.

Comment regarding electric bus parking is noted. However, no such use has been proposed for the project site at this time and is not deemed a reasonable alternative to the project as it would not achieve project objectives nor reduce significant impacts.

Section 4.2 Air Quality has identified a significant unavoidable impact related to the mobile and area source pollutant emissions (Impact AQ 2). Mitigation measure AQ 2-1 is provided to reduce transportation-related emissions by preparation of an Alternative Transportation/Transportation Demand Management Program to reduce ROC and NOx emissions associated with project generated vehicular trips. However, Impact AQ 2 (operational mobile source emissions) would not be reduced to a less than significant level. The commenter’s suggestion that the applicant contribute the northern portion of the property to implement a low-cost electric shuttle system is noted; however no such program is in place at the City and these provisions would be beyond the scope of the project. It should also be noted that there is an existing shuttle bus route directly in front of the project that provides a connection to UCSB. There is no known deficiency in bus parking space as the limiting factor to increased shuttle bus ridership, which would then reduce traffic and air emissions. It is not feasible to correlate the project’s impacts to any potential mitigating effects of providing a parking lot in lieu of the housing.

Mitigation Measure AQ 2-1.a. was revised from “patients” to “residents.”

Section 6.3 Alternative 3: Redesign and Reduced Density Residential Alternative provides an analysis of an alternative project that would reduce the potential impacts to the railroad cut.

The commenter’s statement that the project should be scaled back is noted and has been included in the EIR as part of the alternatives analysis. As reported in Section 6.0 Alternatives, according to Section 15126.6 (c) of the State CEQA Guidelines:

“The EIR should also identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process… Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts.”

A project alternative that would scale back development to eliminate all greenhouse gas impacts was determined to be infeasible for this project as discussed in Section 6.0 under the heading Reduced Density and Scale for Traffic Impacts as it would fail to meet the most of the basic project objectives.

Section 6.2 Alternative 2: Redesign Commercial Component evaluates an alternative project that would avoid placement of habitable areas of structural development within the 2mG EMF contour. However, as noted in Section 4.7 Hazards and Hazardous Materials, upon additional review and analysis, it was determined that given the lack of a verifiable relationship between EMF exposure and negative health consequences, the project’s exposure to EMF has been reduced to less than significant. Additional
discussion as to the lack of scientific evidence of health consequences has also been added to Section 4.7.

It should be noted that the County of Santa Barbara has also recently disregarded the 2 mG standard on a similar basis. Please also refer to Response to Comment 4-4.

15-11 Section 4.13 Transportation and Traffic provides mitigation measures that would reduce the project’s traffic impacts to a less than significant level (Class II), including measure TR 1-1, which would reconfigure the project’s central intersection to provide for safer pedestrian crossing. In addition, Section 4.2 Air Quality includes Mitigation Measure AQ 2-1, which provides for preparation of an Alternative Transportation/Transportation Demand Management Program that specify provisions for a more bicycle-friendly and public transportation oriented development, which would help to alleviate the commenter’s concerns. The traffic analysis that requires the mitigation for road improvements does not assume a trip reduction as a result of provisions for alternative transportation amenities, and the widening requirements associated with the cumulative growth of the area would not necessarily widen the roads, but eliminate the median. Please also refer to Response to Comment 15-14.

15-12 As stated in Section 4.13.4 Cumulative Impacts, traffic volumes were forecast using the City’s traffic model, which includes traffic generated by approved and pending projects proposed within the City of Goleta, the UCSB Long Range Development Plan, the Santa Barbara Airport Specific Plan, and regional growth in the Goleta-Santa Barbara area. These include a planned extension of Phelps Road from Storke Road to Los Carneros Road. No legal agreements preventing the extension of Phelps Road have been presented or are known at this time. Traffic modeling without the Phelps Road extension would result in nominal changes the affected intersections.

15-13 Please refer to Response to Comments. 15-6 and 15-11. Beyond the project site itself, bicycle or public transportation infrastructure planning would not be under the applicant’s purview. The project includes a bus stop pull-out at the project site entrance along Hollister Avenue. As an infill project, with a mix of commercial and residential uses, the project itself is considered “pedestrian friendly”. Since the Draft EIR was circulated for public review, the project was changed (as described in Section 4.13 Transportation and Traffic) to add a traffic signal and crosswalks at the intersection of Glen Annie Road and Hollister Avenue, which would further help to promote and accommodate pedestrian travel alternatives to vehicles. The project is also centrally located along the several bus lines that residents or shoppers can easily access, including local commuter bus routes, shuttle bus routes, Valley Express, UCSB’s shuttle, and Clean Air Express (City GP/CLUP Figure 7-4). Hollister Avenue is a designated Class II Bicycle Path in the project vicinity (City GP/CLUP Figure 7-6), and required roadway widening would not affect the bicycle lane provisions. In addition, the impact fees are designated for the roadway improvements specified within the GTIP program. Should additional transportation plans become available in the future that include items such as electrical shuttle bus or charging stations to offset the need for roadway widening, the fee program would be at the discretion of the City decision-makers; however, until such a program is in effect, there is no mechanism to ensure such a proposal would adequately offset the transportation infrastructure demands of the project.
As stated in mitigation measure TR 6-2 regarding cumulative traffic impacts, the permittee shall provide for the widening of Storke Road south of Whittier Drive or pay a fair-share contribution of the cost to provide two travel lanes in each direction, creating a four-lane roadway. The road improvements have been identified as predominantly attributed to the UCSB Long Range Development Plan traffic growth. The widening would occur within the existing right-of-way and would involve the reduction of a center median to accommodate travel lane width. Therefore, significant impacts to the existing wetlands are not anticipated to occur.

To address the potential for pollutant discharges into water bodies during project operations, the applicant has initially proposed a set of Low Impact Development (LID) design components described in the preliminary drainage report (Appendix F) to reduce surface water quality pollutants. One component is the “water detention basin” referred to by the commenter. This 120,500 cubic-foot basin would be constructed underground with sufficient design capacity to detain project-related stormwater surface runoff. Prior to entering the detention basin, onsite stormwater will be directed to at least one of the other LID design components, including nine vegetated bio-swales, 19 bio-retention areas, and commercial filters to be located throughout the site. Through this system, stormwater would be properly cleaned to the appropriate standards.

The retention basin would be underlain by 25" of engineered rock with a void space of 40 percent that will add additional storage for volume retention and facilitate percolation into the soil under the basin. The soil that underlies the site of the basin was determined to have a percolation rate of 0.73 in/hr/ft^2, which is equal to 0.30 in/hr. Water that percolates through the soil and ultimately releases to downstream water bodies would be required to meet all water quality standards.

Section 1.2.4 Required Approvals was not revised to include “Modifications as Required,” as it is too arbitrary, and cannot be assumed that this EIR would apply to unknown future modifications. Any subsequent “modifications” to the project would be reviewed based on the merits of the specific modification requests to determine the type of permit modifications that would be required and whether the specific changes to the project would require new, or supplemental, environmental review in accordance with CEQA.

For each of the historical resource evaluation criteria, additional statements were added to further summarize the applicant submitted opinions of Post Hazeltine Associates and Dudek.

The commenter is correct that Impact AES 1 is identified as a significant unavoidable Class I impact. The commenter asserts that the project has been treated inconsistently with seven other specific projects within the City. Based on a review of the seven projects listed by the commenter, there are numerous (and substantial) differences in the contexts of each projects such as: visual settings of the project sites, size of the project sites; type and sizes of buildings proposed, juxtaposition of proposed buildings relative to views, frontage along scenic corridors, quality of views, directional and distance of views offered through the sites, topography, and existing built environments abutting the sites. Also, in some cases visual simulations were conducted (e.g. Village at Los Carneros EIR) and some cases they were not (e.g. Citrus Village MND). The analyses
for this project are based on its own merits, and are not bound by indirectly related premises and conclusions for other nearby projects. The visual simulations for the pre-project and post-project conditions along Hollister Avenue are presented in Figures 4.1-7 through 4.1-9.

16-4 Being described as an “in-fill” site does not carry a predetermined conclusion as to whether the site offers a scenic view, and a designation for urban uses is not considered the existing condition. These facts are recognized within the City’s General Plan/Coastal Land Use Plan (GP/CLUP), as it designates “scenic views to be protected” for views in either or both northerly directions that look through vacant (un-built) sites and also designates the same sites for “urban uses” (e.g. Medium Density). A specific example is the 180-degree northerly view from Hollister Avenue directly in front of the project site (vacant and with a Medium Density Residential Land Use designation). The commenter is referred to Figure 3.10 Vacant Sites and Proposed Land Use Designations of the General Plan/Coastal Land Use Plan Final EIR (GP/CLUP FEIR) and Figure 6-1 Scenic and Visual Resources of the GP/CLUP to compare the designated scenic views with vacant sites and the respective land use designations. Accordingly, and in accordance with CEQA, each individual development proposal (even within predetermined land use designations) is to be reviewed on a case-by-case basis as to the impact to visual resources.

While there may be some similarities as to the visual qualities of this project site and the above referenced project sites, the Santa Ynez Mountains as a backdrop, and the view corridor designations with other vacant site within the City, each project must be reviewed on its own merits and existing visual conditions and value offered by the site. As stated above, there are distinct differences in each of these projects, and the analyses are directly related to the distinct differences. It is appreciated that the commenter is providing a comprehensive approach in looking at how the visual resource impacts are determined City-wide; however, Section 4.1 Aesthetics does not introduce inconsistent approaches, remains valid of for the project, does not invalidate any conclusions of the seven other projects referenced, and remains valid for the project. Please also refer to Response to Comment 14-1.

16-5 Section 4.1.5 Mitigation Measures provides similar mitigation measures to those requested by the commenter. These include Design Review Board approval and verification of structure heights, and etcetera. Therefore, the requirements are similar to other recent projects and are seemingly acceptable to the commenter. These mitigation measures, provided for this project to reduce impacts to “existing visual character and quality from the public Local Scenic Corridor,” are not more onerous than those placed on other recent projects with similar potential impacts. The determination that Impact AES 1-1 would remain a significant and unavoidable Class I impact after implementation of these mitigation measures is based on the reduction or elimination of the existing visual character and quality of the site as provided from the public local scenic corridor after development of the project. The project would result in the loss of a relatively expansive open visual character and short-range and long-range visual qualities that may be appreciated by adjacent residents, pedestrians and bicyclists along Hollister Avenue, vehicles traveling past or stopped in the vicinity due to signal-controlled intersections, and etcetera. While the project site plan makes the best use of the property in terms of recognizing view corridors and providing landscaped and some open areas, the premise of Impact AES 1-1 is that the open visual character and quality
of the site overall would be substantially altered/removed, and that the mitigation measures would not be adequate to reduce this specific effect of the project, or impact, to a less than significant (Class II) level.

16-6 Please refer to Response to Comments 14-1, 14-2, and 16-3 through 16-5 and 16-8.

16-7 The conclusion of the EIR relative to the significance of impacts to scenic views of the Santa Ynez Mountains (AES 5) is based on a detailed analysis and methodology that took into account the existing size the property, unobstructed views of the Santa Ynez Mountains (identified and a scenic resource in the City’s GP/CLUP), and the proposed project set of engineered and architectural plans. The visual simulation presented in Figure 4.1-7, from which the significance determination is based, was prepared in accordance with engineered plans provided by the applicant’s engineering team that provide finished grades of the site and the architectural renderings provided by the applicant’s architect to show the scale and mass of the structures. In addition, a photo-simulation showing a transparent view through the project commercial buildings is provided in Figure 4.1-7B within Section 4.1 Aesthetics. This simulation shows the amount of ridgeline being obstructed by the project structures in the foreground.

16-8 There were 24 vantage points illustrated in the EIR analysis as a means to not only provide the decision-makers with vantage points from which the project would be visible, but also to demonstrate where the project would not be visible, or would be limited in visibility, while others were selected to provide evidence of the project site’s surrounding land uses. As such, the vantage points were not all specifically chosen to demonstrate visibility of the project or its view-blocking effects, per se, and should not be categorized with the same functional quality. In addition, of the vantage points chosen to demonstrate the views through the project site, and for which visual simulations were prepared to determine the level of impact, there were three chosen from southerly off-site areas, within the Hollister Avenue scenic corridor, looking northerly toward the Santa Ynez Mountains. Of those three, the view eastbound on Hollister Avenue is to be most effected as illustrated in Figure 4.1-7. To a lesser extent, Figure 4.1-9 shows that the project would also obstruct ridgeline views from the northbound Marketplace Drive south of Hollister Avenue opposite the project site. The simulations were based on the project description, including relative location of the building footprints, finished floor elevations, and the structure height. This blocking-of-ridgeline is the result of the juxtaposition of the buildings, mainly Building B, but also Building A, and the view of the Santa Ynez Mountains themselves. However, other buildings also contribute to the view-blocking impact from vantage point illustrated in Figure 4.1-7 through 4.1-9. For these reasons, a statistical reference to “1 out of 24” vantage points does not provide a substantive basis from which to determine the level of significance in loss of view from this particular location.

16-9 The commenter asserts that for motorists traveling at a rate of 45 miles per hour, the view-blocking effects would be limited to a 66-foot length of the buildings, and thus would be blocked for .68 seconds. This mathematical approach is not appropriate for three main reasons.

First, this equation provides the time it takes a vehicle to travel 66 feet, it does not provide the time that the view-blocking features during the complete pass-by travel would come into play, from the time an eye would pick up the building to the time the
building is fully out of view. The commenter does not provide a verifiable measurement with this statistic.

Second, this comment references “a building” as having the view-blocking effects of the ridgeline. The impact determination was based on a combination of loss of views from the entirety of the project for the entirety of the view of Santa Ynez Mountains, and is not limited to one portion of ridgeline from one building. It appears that this comment fails to take into account the loss of views from other buildings in the site plan, e.g. the residential buildings to the north of the property, the commercial buildings closer to the property frontage (Building I), and the more distant commercial buildings (Buildings E and F), nor does it account for losses in views from the project landscaping. A more complete representation of the view-blocking effect is provided primarily in Figure 4.1-7C, 4.1-7D, 4.1-8C, and 4.1-9C.

Third, 45 miles per hour may not represent an accurate speed for this particular location. It appears the commenter selected the 45 mph speed as that is the posted motor vehicle speed limit for Hollister Avenue. However, this speed is the greatest speed that a motor vehicle may be traveling. Given that this area is central to the City, and not a passing highway view at this Hollister Avenue location, the area is designed to accommodate a wide range of speeds that may occur, including those of pedestrians, cyclists and buses, for which it would not be valid to estimate a certain speed, much less 45 mph. Also, there is a signalized intersection (Hollister Avenue/Marketplace Drive) located approximately 350 feet east of the location of the point from which the photo in Figure 4.1-7 was taken. At that distance to a potential stop, it is presumed that vehicular traffic would be slowing to less than 45 mph as a precaution, and particularly if approaching a red light. For these reasons, the limited reliability of a length time for view-blocking impacts was not selected as particularly beneficial to providing a complete and reliable worst-case representation.

16-10 Based on the Merriam-Webster Dictionary (accessed on-line at http://www.merriam-webster.com, December 2011), “Substantial” is defined in the following ways:

- consisting of or relating to substance
- not imaginary or illusory: real, true
- important, essential
- ample to satisfy and nourish: full
- possessed of means: well-to-do
- considerable in quantity: significantly great
- firmly constructed: sturdy
- being largely but not wholly that which is specified

It would appear that the commenter is suggesting the last bullet “being largely but not wholly that which is specified” would require that the EIR find that the view blocking effects are not “substantial,” and are therefore, not a significant impact. However, the thresholds of significance, as recognized by the commenter, do not provide a specific quantitative percentage or measurable point at which the “substantial” criteria are reached. Rather, the aesthetics thresholds allow for a case-by-case determination of substantial effects, allowing the public decision-makers an opportunity to consider other qualitative measures for determining significance of impacts.
Therefore, in considering the overall discussion and the view-blocking impact in its entirety, the EIR determination of a Class I impact was not changed as requested. While the additional analysis is appreciated and adds to the overall discussion and decision-makers considerations, based on Response to Comments 14-1, 14-2, and 16-3 through 16-10., Section 4.1 Aesthetics is appropriate in disclosing the potential aesthetic impacts in the manner in which it is presented. The threshold provided in Section 4.1.2 Thresholds of Significance, are by-design, subjective as it is left up to the discretion of the decision-makers. To apply the quantitative approach requested for this project at only Figure 4.1-7’s vantage point would not be within the intent of the threshold or spirit of CEQA to offer full consideration and a reasonable worst-case scenario. This EIR fully discloses the potential for impacts, and provides a determination based upon professional judgment for the decision-makers’ consideration.

16-11 Section 4.1 Aesthetics identifies Impact AES 11 as a beneficial impact for the relocation of the overhead transmission lines “visual clutter” along Hollister Avenue. In the current location, these transmission lines are not considered view-blocking so much as they lack visual appeal. Therefore, it would not be prudent for the EIR to consider this beneficial effect as offsetting the view-blocking impact identified in Impact AES 5, that relates to the project structures blocking views of the Santa Ynez Mountains.

16-12 As provided in Section 4.5.5 Mitigation Measures there are no standard mitigation measures that would reduce the scale of the project’s structures. The impact is determined based on the site plans and elevations submitted for consideration and approval. To alter the scale of buildings or layout of the site plan would be considered an alternative to the project. Section 6.0 Alternatives discusses a redesigned commercial component with the objective of preserving more views of the Santa Ynez Mountains. However, based on the visual simulations and related analysis, the impact of the project cannot be mitigated to a less than significant level.

16-13 Please refer to Response to Comment 16-11.

16-14 The portion of Mitigation Measure AQ 2-1 requiring shower facilities has been removed from Section 1.0 Executive Summary and Section 4.2 Air Quality.

16-15 Mitigation Measure AQ 2-1 has been revised to specify that tenants of Buildings B and I shall be required to provide an employee lunch room.

16-16 Based on past experience with native vegetation and bioswale creation, five years represents a fair timeframe and is likely necessary to ensure that the vegetation meets a given success criteria. Success is usually not met until specific coverage and diversity is achieved, and that the bio-swale is self-sustaining, meaning that it can be demonstrated over a significant period of time that the area can mature to full functionality without dependence on irrigation or weeding. Three years of monitoring may not be enough time to demonstrate that it is a sustainable natural system. In addition, it is presumed that this EIR will be used to fulfill any CEQA documentation required for any California Department of Fish and Game permit that may be required, and a five-year monitoring timeframe is generally preferred for the Department.
Section 4.4 Cultural Resources outlines the significance of the railroad cut in relation to the local, state, and federal criteria. The significance after mitigation has been reduced from a Class I significant and unavoidable impact to a Class II less than significant impact. The concerns raised with this comment are more fully addressed below in Response to Comments 16-37 through 16-52.

The commenter’s modeling results of Greenhouse Gas Emissions using the CalEEMod (California Emission Estimator Model) program and results of an additional CalEEMod modeling are presented in Section 4.6 Greenhouse Gas Emissions. The data for each “model run” is included in Appendix A. The DEIR relied upon the URBEMIS2007 modeling software as the CalEEmod program was relatively new and had been experiencing malfunctions at the time the analysis for this project was commenced. URBEMIS2007 was deemed the most conservative worst-case approach until a greater industry-wide level of confidence was more fully established in the CalEEMod software. A basic difference is that URBEMIS2007 assumes a higher level of emissions of equipment based on the air quality regulations in effect at the time the software was developed. Emission assumptions built into CalEEMod program are more representative of the greater efficiency equipment in use under current standards. As such, the Greenhouse Gas Emissions using CalEEMod are substantially lower than projected under the URBEMIS2007 program. Based on the CalEEMod greenhouse gas estimations, without any mitigations, the project would produce 3.9 MT CO$_2$e / service population / year, which would be below the threshold of 4.6 MT CO$_2$e / service population / year threshold and would be considered a less than significant Class III impact.

The text of Section 4.7 Hazards and Hazardous Materials has been revised to reflect that while EMF has been labeled as a “possible carcinogen,” there is no significant scientifically verifiable relationship between EMF exposure and negative health consequences measured at 60 Hz EMF levels. As health consequences have not been established to date for the use of 2 mG as significance threshold, and the modeled EMF range of 2 mG to 15 mG (Building G) is significantly below the International Commission on Non-ionizing Radiation Protection Guidelines for general public continuous exposure of 833 mG, the impact has been reclassified to a less than significant Class III impact.

Section 4.7.1 Existing Conditions, Proximity to High Pressure Natural Gas Line was revised to update the descriptions of the natural gas pipelines based on information obtained from the Southern California Gas Company. Mitigation Measure HAZ 5-1 was also revised in consultation with the Southern California Gas Company.

The commenter asserts that based on the relatively low statistical likelihood of a train derailment in the area of the project has a very low probability. Mitigation Measures HAZ 6-1 and HAZ 6-2 are deemed feasible from a practicable standpoint and a financial feasibility standpoint. If one were concerned about the financial costs to implementing Mitigation Measures HAZ 6-1 and HAZ 6-2, one might consider the potential for financial damages that could follow a train derailment catastrophic event at this location, and the potential for liability for recognizing this potential impact but choosing to not implement relatively low-cost mitigation. For these reasons, Mitigation Measures HAZ 6-1 and HAZ 6-2 have remained in this FEIR.
Section 4.9 Land Use and Planning was revised to include the updated information relative to the ALUC review and consistency determination with the ALUP. Accordingly, Mitigation Measure LU 6-1 was removed and Impact LU 6 was reduced to Class II less than significant after implementation. Other mitigation measures for Impact LU 6 were renumbered accordingly.

Responses to comments regarding the Draft EIR pages 4.13-39 through 4.13-41 are provided in Response to Comments 16-70 through 16-80.

Responses to comments regarding Mitigation Measure TR 6-2 are provided in Response to Comments 16-76, 16-77, 16-78, 16-79, and 16-80.

The commenter's reference to Mitigation Measure WS 1-5 pertains to Section 4.14.1 Water Supply, not Wastewater Treatment. WS 1-5 is provided as a “recommended” mitigation measure, not a required mitigation that directly reduces a significant impact. However, this recommended measure was removed from the EIR.

Despite the difference of opinion of the professional experts, based on the entire record and interviews, it was ultimately determined that the impact to the railroad cut is considered significant. The redesign of the residential component alternative would preserve the cut for historical resource preservation purposes. The commenter's concern for the need for "workforce" housing is recognized. However, the two issues are mutually exclusive, and the City decision-makers would have the chance to consider, and weigh the benefit and impact of loss for each. This EIR does not evaluate the relative importance of, or benefit for, the preservation of the resource versus providing residential units. The purpose of the alternatives analysis portion of the EIR is to present a reasonable range of possible alternatives for consideration by the decision-makers. It is entrusted that the decision-makers will decide in the best interests of the public as to whether it is most important to preserve the historical resource or provide for housing units. This EIR determine that impacts to the railroad cut could be reduced to less than significant with mitigation during construction of the project.

Please see Response to Comment 16-26. Please also see Response to Comments 16-37 through 16-63 regarding the Draft EIR pages 4.4-1 through 4.4-20.

Please refer to Response to Comment 16-1.

According to Table 3-1 Related Projects, there is approximately 1,030 residential units pending when considering 465 units for Village at Los Carneros, and 1,128,009 square feet of commercial space. Bacara project is still a pending project at this time and is included within in this figure.

The environmental significance of the railroad cut is addressed below in Response to Comments 16-38 through 16-52. Please also see Response to Comments 16-37 through 16-63 regarding the Draft EIR pages 4.4-1 through 4.4-20, and the significance of the railroad cut is specifically discussed in Response to Comments 16-38 through 16-52.

The commenter has correctly listed the Thresholds of Significance, items “a)” through “c).” Response to Comments 16-3 through 16-13 provided above provide the basis for
which there were potentially significant impacts identified based on the criteria of “substantial” effects or degradation.

16-32 CEQA requires that the existing setting from which the impacts of the project were determined for all environmental issues areas, is the actual physical condition of the site, which was “vacant” for Parcel B and containing two existing structures on Parcel A. Accordingly, for purposes of the aesthetics analysis the impact of the project is based on the change in physical conditions of Parcel B (i.e. adding new structures over vacant land) and difference in physical changes to Parcel A (i.e. the incremental change from the existing structures to the uses illustrated in the project site plan for that portion of the site). This approach is consistent with CEQA Guidelines Section 15064(d). The current land use designations are appropriately provided in Section 2.0 Project Description for background information and in Section 4.9.1 Existing Conditions of Section 4.9 Land Use and Planning to present the changes in land use designations proposed.

Section 6.0 Alternatives provides a description of the No Project Alternative (Alternative 1). As provided in Section 15126(e) of CEQA Guidelines, this alternative analysis describes the incremental differences between the project and what would be “reasonably expected to occur in the foreseeable future if the project were not approved.” The reasonably foreseeable project is based upon the existing “urban development” land use designations as noted by the commenter. This analysis provides that development under the existing land uses designations would similarly result in significant aesthetic impacts as with the project. In both scenarios, the baseline exiting condition for this portion is a vacant site. Therefore, the EIR consistently and appropriately relies upon the correct existing conditions. Also see Response to Comments 14-1 and 16-4.

16-33 It was estimated by City of Goleta staff that is one were standing on the sidewalk in the public right-of-way at the approximate location of the project’s Building I, approximately 97 percent of the north-facing view would be blocked by the building. This statistic demonstrates the impact development could have on the short-range and long range visual qualities of the project site experienced from the Hollister Avenue Local Scenic Corridor.

Response to Comments 14-1, 14-2, and 16-8 through 16-10 address the commenter’s concerns relative to the photo-simulation presented in Figure 4.1-7a and 4.1-7b, and impact analysis presented in Section 4.1 Aesthetics.

16-34 Response to Comments 16-8 through 16-10 address the commenter’s concerns relative to the identified impacts as meeting the “substantial” criteria within the thresholds.

16-35 None of the mitigation measures require the reduction or relocation of buildings. Perhaps the commenter is concerned that Mitigation Measure AES 1-1 requires such revisions to the site plan; however, this Measure is intended to ensure that the City Design Review Board’s (DRB) design review of the project is completed appropriately. The architectural plans provided for in this EIR are adequate to make a determination as to the potential for significance aesthetic impacts. However, the DRB review is a process for the City to consider more details and to assist in the final approval of the architectural plans. This process would ensure that as the plans are reviewed for
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Preliminary and Final approval, that changes are not made to the plans that would cause the project to exceed the level of environmental review considered and disclosed herein.

16-36 Responses to Comments 14-2, and 16-8 through 16-10 address the commenter's concerns regarding ridgeline blockage relative to the photo-simulation presented in Figure 4.1-7a and 4.1-7b and impact analysis presented in Section 4.1 Aesthetics.

16-37 through 16-63 Topical responses regarding Section 4.4 Cultural Resources

McKenna et al. determined there is ample data to support the EIR Section 4.4 Cultural Resources conclusions and recommendations. With respect to the railroad cut, there is a professional difference of opinion on some significant points of research. McKenna et al. has concluded the railroad cut is significant because of the associations with persons and events of historical significance. With respect to physical remnants, McKenna et al. concluded there is not enough information to conclude a total loss of physical integrity for the resource. If there is a total loss of integrity (to be established during mitigation monitoring), the associations with persons and events is not negated. Therefore, McKenna et al. emphasizes the professional opinion the EIR is adequate. In the case of archaeological resources, this EIR appropriately recognizes the archaeological sensitivity of the area and the Native American concerns for the area.

16-37 The body of an EIR typically summarizes data provided by experts and the technical reports present a determination of impacts. It is acceptable to incorporate by reference specialized reports or other environmental documents, which thus become equally considered as part of the discussion. Nevertheless, additional statements were added to Section 4.4 Cultural Resources under each of the evaluation criteria to further incorporate the opinions of the applicant submitted technical reports of Post Hazeltine and Dudek.

16-38 The portion of the existing conditions referenced by the commenter summarizes the existing conditions at the time of the field survey and does not mention or intend to reach a conclusion on as to the integrity of the railroad cut, nor how the status of the integrity would affect the importance of it historically. The significance (pursuant to the thresholds) of the railroad cut is evaluated under subsequent discussion Evaluation of Historical Significance of the Railroad Cut according to the specific criteria established by local, state, and federal guidelines. Also, as noted by the commenter, the discussion referenced states that no surficial material remnants of the rail line were observed. The lack of observation of materials, both by McKenna et al. and the Dudek Phase I Archaeological Survey do not preclude the potential for materials to be uncovered once the site undergoes mass grading in the area of the cut.

16-39 -16-40

Pursuant to Section 15064(a)(1) of CEQA Guidelines, the EIR incorporates by reference the entire record presented by both the applicant submitted expert reports and responses to the peer review, as well as McKenna et al. evaluation, and includes the entirety of these reports in Volume II of the document. A brief summary of the conclusions is provided in the body the EIR evaluation of the significance. McKenna et al. provided a professional third party review of the applicant submitted reports, including all facts and opinions, on behalf of the City, as lead agency. As such, the Draft EIR did include conflicting views of experts and did not ignore the Post Hazeltine reports. Nevertheless, additional statements were added to Section 4.4 Cultural Resources
under each of the evaluation criteria to further incorporate opinions of the applicant submitted technical reports of Post Hazeltine and Dudek.

McKenna et al. also conducted additional research and interviews with local experts (i.e. representatives of the Railroad Museum—persons with specific interests in identifying the alignment as a recognized County historical landmark). It was determined that this resource did meet the significance criteria, and is associated with other components of the railroad that have been listed in the National Register of Historic Places (and, by default, the California Register). Also, without more extensive subsurface testing, McKenna et al. concluded that although there was no observed evidence of material remnants of the railroad (with the exception of the “cut”), that fact does not conclusively support an opinion that remnants would not possibly be uncovered. Therefore, the EIR correctly identifies potential impacts to the historic resource as potentially significant.

As noted above, the McKenna et al. review of the Post Hazeltine report included additional research and analysis of the data. McKenna et al. does not disagree with the issue of “integrity” but concluded Post Hazeltine did not have enough data to conclude there was a loss of integrity. No subsurface testing has been conducted and, during a field visit, McKenna et al. identified the presence of gravel that appeared to represent the railroad bed. As for being a recognized resource, McKenna et al. interviewed representatives of the Railroad Museum—people specifically involved in having the alignment identified as a recognized County historical landmark, and concluded that the lack of identified tracks did not negate the ability of the resource to be identifiable. As in the case of historic battle sites or locations of significant activities, this railroad cut is indicative of and recognized as the remnants of a significant historical event and association with significant historical persons.

There is no evidence that the swale has in fact been removed. The railroad cut has been realigned to its current location, but the swale associated with the historic railroad cut has not been moved, only abandoned.

As previously noted, there has been a loss of integrity, but that loss is measured and, to some extent, measured at the discretion of the researcher. It is acknowledged that the tracks are not evident and that the alignment has changed from the 1887 alignment, etc., but the significance of a resource is not based solely on the physical remains. McKenna et al. has argued that the potential significance of this resource is also based on the associations with persons and events, not just the alignment. In addition, this short alignment is one of only two known segments of the original alignment remaining, indicating a potential significance as one of the only remaining examples.

The EIR does not argue that the materials are a basis for significance. It simply states that if evidence of the original materials are uncovered at a later date, this conclusion may be revisited.

As previously stated, the EIR is not basing a determination of significance under the “setting” criteria. However, it should be noted that the integrity/loss of integrity does not change the association with events or persons.
Recognition on the local level under Criterion “a” does not include an assessment of integrity, but is limited to the cultural, social, economic, political, aesthetic, architectural, landscape architectural, or natural history. As defined, the cultural, social, economic, and political aspects of this criterion do not involve the physical remains, but they do involve important historical events of the railroad arrival in the Goleta Valley in 1887 and exemplifies the Valley’s progress and economic advancement from 1887 to 1901. Therefore, the integrity of the resource was not the primary reason for McKenna et al. to conclude the resource qualifies under Criterion “a.”

16-48 In this case, integrity does not change the acknowledged associations with historic persons or local events. The significance of the railroad system, in general, has been improved, but that does not change the associations and contributions with persons or events of local, regional, state, or national history. The entire basis for identifying significance is not and cannot be based solely on physical integrity and the commenter is consistently repeating the Post Hazeltine conclusions based on integrity. McKenna et al. disagrees with these conclusions. McKenna et al. stands by the significance under Criterion “b.”

16-49 – 16-52

This is a continuation of the argument that the loss of integrity for the resource negates any ability to suggest significance for the resource. All archaeological resources are, by definition, “ruins” with various degrees of integrity. There are methods used to assess whether archaeological resources have any level of integrity. In this case, the reviewer is assessing the railroad cut as a historic resource, only, and not an archaeological resource. McKenna et al. is addressing this resource as both a historic resource (above ground) and an archaeological resource (buried components) and, therefore, has argued that there has not been sufficient research to conclude there is a total lack of integrity. Further, McKenna et al. disagrees with the argument that a loss of integrity removes any inherent association of this resource with noted historic persons or events. The relocation of the railroad terminal/depot to the Railroad Museum did not negate its eligibility and listing in the National Register. This railroad segment is part of that resource (an individual feature of the historic railroad system) and should be assessed in that context.

With respect to the railroad depot, it was nominated and listed prior to relocation, but the basis for the listing was a combination of the existing conditions and the associations with persons and events. Because the architecture was not the only applicable criteria, the relocation did not negate the listing.

16-53 In general, prior studies have identified many individual archaeological deposits near and potentially extending into the project area. In one instance, evidence of human remains was presented. The local Native American population has voiced their concern that the entire coastal plain should be considered sensitive for resources, even when no surface evidence is present. There is no physical data to justify extensive subsurface testing at this time. Areas identified as more likely to yield archaeological resources were tested and no evidence of buried (archaeological) remains were documented. The area of the railroad alignment was not tested.
It would not be prudent for the EIR to conclude that the subsurface testing of a relatively limited area with minimal depth and coverage is enough to conclude the area is not sensitive for buried prehistoric resources. Prior studies completed on properties surrounding the project area have all yielded some evidence of prehistoric occupation, and it is not logical to assume this particular property would be void of similar remains. Given the sensitivity of the area, and limitations in conducting a technical Phase I archaeological analysis, there remains a distinct possibility for significant archaeological resources to be identified during monitoring that must be recognized by the EIR.

The commenter makes the argument that the railroad alignment has no integrity and, therefore, should not be considered further. McKenna et al. disagrees with this conclusion (see Response to Comments 16-38 through 16-53) and reminds the commenter that the analysis and recommendations were designed to address federal, state, and local guidelines, not just CEQA. McKenna et al. has emphasized this resource is already a listed property (county and local) and eligible for recognition on the state and federal levels – with the association to the depot, etc. The City of Goleta has the right and authority to require mitigation monitoring and/or any other reasonable task based on the data available at the time of the decision. Since McKenna et al. has determined there is not enough data to conclude no significant elements of the railroad alignment remain, it is reasonable to recommend measures to insure adequate management of any evidence that may be uncovered at a later date. The measures recommended in the DEIR are considered reasonable, given the proposed demolition of the last vestige of the historic railroad alignment within the City of Goleta.

The commenter repeats the argument that no significant archaeological resources are present within the project area, but want additional data to support the sensitivity for the northwestern corner of the property. McKenna et al has argued the entire property is sensitive, given the totality of the data from surrounding properties. The compromise presented in the DEIR is to have trained Native American monitors on-site full-time; professional archaeological monitors part-time (as needed) to address the railroad alignment and other identified archaeological sensitive areas; monitoring of vegetation removal by archaeologists and Native American monitors; and a plan in-place to address any resource that may be encountered as a result of the proposed project. McKenna et al. considers these measures adequate.

The commenter is making an argument that the railroad alignment has no integrity, and that the majority of the railroad alignment has already been lost. The existing alignment is one of only two known segments remaining and its loss would be a significant cumulative impact – the loss of half of the remaining alignment(s). The argument for cumulative impacts is based primarily on the McKenna et al. conclusion that the railroad alignment is a significant resource, as provided in Section 4.4 Cultural Resources.

The commenter suggests “disturbed” resources have no significance and need not be addresses in the discussion of cumulative impacts. It should be noted that ALL archaeological resources, as defined, are disturbed. It is the level of disturbance, in part, that defines whether or not the resource is significant. A buried artifact or human remain need not be intact to maintain significance of human remains, and a burned residential structure still has archaeological research potential. The discussion on cumulative impacts serves to emphasize the extent of the loss of data and resources and, as
presented, McKenna et al. feels the discussion is accurate and adequate for the EIR summary discussion.

16-60 The commenter has made numerous comments regarding the lack of integrity for the railroad cut and the lack of a need for further discussion. Mitigation Measure CR 1-2 attempts to inform the public about the historical resources by clearly identifying where the railroad cut was located and an educational piece to explain the history of the 1887 alignment. The commenter asks to eliminate the physical identifiers. Elimination of this component would result in a lack of integrity of this Mitigation Measure objective. The commenter feels the commemoration of the railroad alignment is problematic, would require maintenance, would be costly, and there is no precedent in the City or County. Identifying the railroad is no more “problematic” than installing street signs. The costs are minimal and the maintenance would be required whether or not the walls, paths, or other elements are for the railroad or a park, or recreational trail, all of which are standard and preferred elements with-in a development. It is expected that maintenance would be a routine part of the overall property maintenance. There may not be a precedent for such mitigation in the City of Goleta, as every project must be analyzed individually and specific mitigation developed. However, the precedent for utilizing contrasting materials does exist within the City of Santa Barbara where contrasting materials are used to identify the location of where the El Presidio de Santa Barbara had once existed in what is now Santa Barbara Street. In addition, the County does mark and identify historical resources, the Santa Barbara Mission being one outstanding example. Santa Barbara County, the Goleta/Goleta Slough area has been recognized as sensitive for cultural resources. McKenna et al. concludes the commenter’s request to remove the recommendation for identifying the alignment is without merit.

16-61 There are inherent “unknowns” with respect to the archaeological resources. Until the project is initiated, there is no way to define the boundaries of the archaeological monitoring. This level of field monitoring will be reassessed as the project proceeds and will be determined based on the identification (or lack thereof) of archaeological resources.

16-62 Please see Response to Comments 16-37 through 16-40. Mitigation Measure CR 2-2 is warranted.

16-63 For the many reasons presented above, McKenna et al. disagrees with the commenter’s suggestion that the classification of impacts to the railroad cut be changed from Class I to Class III. McKenna et al. points out that the commenter states the impacts would be adverse. This is the first time the commenter acknowledged adverse impacts and, in contradiction to the earlier comments, this suggests some level of recognition that the railroad cut is worthy of acknowledgment. McKenna et al. recommends the Class I references be maintained and not changed to Class III, as McKenna et al. still argues the resource is a significant resource.

16-64 Responses to the comments incorporated by reference here prepared by David Deckerman and Jennifer Pace in letter dated November 18, 2011 are provided in Response to Comments 16-95 through 16-109.

16-65 CEQA does not require a lead agency to establish significance thresholds for greenhouse gas emissions. As provided in Section 4.6.2 Thresholds of Significance, the
greenhouse gas emissions thresholds relied upon represent the best available interim standards for Santa Barbara County, and these thresholds were deemed to apply to the project. CEQA allows a lead agency to apply specific thresholds it deems appropriate, but is not required to. The basis for using the thresholds is discussed in Section 4.6.2. Furthermore, a lead agency is required to make a determination as to the significance of a project’s impact, but is not required to have an established threshold. The Class I determination for greenhouse gas emissions is based on relevant thresholds and information and reasonable inferences that support this Class I conclusion.

16-66 Response to Comment 16-19 provides responses to the commenter’s concerns regarding electromagnetic fields.

16-67 Response to Comment 16-19 provides responses to the commenter’s concerns regarding electromagnetic fields.

16-68 Response to Comment 16-22 above addresses the commenter’s concerns regarding consistency with the ALUP.

16-69 Comment Noted.

16-70 The Plan Requirements and Timing portion of Mitigation Measure TR 2-1 requires the performance security before recordation of the Final Map or physical improvements to the roadway to be constructed before the first certificate of occupancy is issued. The requirement for review and approval of the design plans was revised to allow for approval to occur prior to issuance of first certificate of occupancy.

16-71 The Monitoring portion of Mitigation Measure TR 2-1 requires the performance security before recordation of the Final Map or physical improvements to the roadway to be constructed before the first certificate of occupancy is issued. The Monitoring requirement was revised to allow for Community Service to verify submittal of plans for review prior to recordation of the final map and verify approval before the issuance of first certificate of occupancy to provide more flexibility in obtaining plan approval for this mitigation measure.

16-72 Mitigation Measure TR 3-1 was revised to specify that improvements shall result in a Level of Service of C or better during the AM Peak hour.

16-74 The changes to timing provided in Mitigation Measure TR 3-1 relative to the roadway improvements was not changed as requested in this comment. This measure requires City approval of the preliminary intersection design in consultation with California Department of Transportation (Caltrans) before recordation of the Final Map. However, changes to the timing were made relative the applicant submitted traffic analysis (ATE, 2012) to reflect the points at which the project would exceed thresholds. Improvements are to be completed in accordance with the approved plans before the City issues the certificate of occupancy for the first 190th of the 279th residential units, or their equivalent. The permittee must execute a Traffic Agreement with the City as approved by the City Attorney’s Office requiring the permittee to pay the project’s fair-share contribution for the widening improvements. Section 4.13 Transportation and Traffic was revised accordingly and the technical analysis is included in Appendix H.
16-75 Please refer to Response to Comment No. 16-74.

16-76 Mitigation Measure TR 6-2 was changed to include Scenario 4, which allows the execution of a Traffic Agreement with the City as approved by the City Attorney’s Office requiring the permittee to pay the project’s fair-share contribution for the widening improvements.

16-77 Please refer to Response to Comment No. 16-76.

16-78 The commenter appears to be referring to Mitigation Measure TR 6-2. The equation that would be used to determine the fair-share contribution to the widening of Storke Road south of Whittier Drive was added as this total amount of cumulative projects, or shares, required to contribute may be subject to change.

16-79 Scenario 3 of Mitigation Measure TR 6-2 already provides that should the GTIP be revised to include the widening of Storke Road improvement within the program, the applicant would be responsible for an appropriate GTIP payment.

16-80 Impact TR 6 of Section 4.13 Transportation and Traffic provides that cumulative traffic volumes on the segment of Storke Road south of Whittier Drive would exceed acceptable roadway capacity. The City’s threshold for determining an impact is 1 percent. As provided in Table 4.13-10, the project’s contribution to the Average Daily Trips would be 2.8 percent of the total. The project would add 516 trips to this segment contributing to the cumulative total of 4,357 trips that would exceed the acceptable capacity of 14,300. Therefore, the project’s contribution is considered cumulatively considerable. Although there may be conditions of approval placed on other cumulatively-contributing projects in the area, these conditions are not considered “plans” or “programs” that the project would contribute to, and therefore, these conditions do not meet the intent of Section 15064(h)(3) for determining that the project’s cumulative impact would not be considerable. The EIR correctly determined that the project’s cumulative impact to Storke Road south of Whittier Drive is significant and provides appropriate mitigation to render the impact less than significant through funding of its fair share in accordance with Section 15130(a)(3) of CEQA Guidelines. This EIR does not dispute that the jurisdiction of the subject segment of Storke Road is within the County of Santa Barbara. The City’s required cumulative mitigation would be conducted in coordination with the County and other contributing projects.

16-81 As provided in Table 4.14-1 Projected Water Demand, the water demand for the project was determined based on the usage rates within the City’s Environmental Thresholds and Guidelines Manual, October 2002. For the 13.7 acres of residential use and 90,054 square feet of commercial use, at demand rates of 5.75 AFY/acre and 0.23 AFY/1,000 s.f., respectively, the demand would be 99.49 AFY. This is the same demand stated in the project’s Revised Initial Study/EIR Scoping Document, August 24, 2010. This figure was adjusted by 1.15 AFY to include the five live-work residential units, located within the commercial component, and by 0.66 to include the car wash within the residential component. While the commenter presents new information relative to what the Goleta Water District (GWD) has accepted from the applicant as water demand calculations and purchases, there has been no formal Will-Serve agreements or other such approvals from the GWD provided as part of the project application to support the information.
provided (The City has only received a Water Service Classification Notice from the GWD dated November 5, 2009 and notice that the applicant had submitted a Preliminary Application for Water Service with the GWD on March 22, 2010). Were such agreements formally provided, they would have been included for consideration in the EIR and attached as Appendices in Volume II. However, absent these specific agreements that can be referenced, the EIR must rely upon the standard water demand rates set forth in the City’s formally adopted Guidelines Manual.

16-82 This comment is addressed above in Response to Comments 16-3 through 16-12.

16-83 This comment is addressed above in Response to Comments 16-37 through 16-56.

16-84 The construction of land uses/buildings outside an EMF contour threshold would not preclude the determination of significance for a separate land use or habitable building that is constructed within an EMF contour threshold. However, as provided above, given the lack of evidence providing a verifiable relationship between EMF exposure and negative health consequences, the text of Section 4.7 Hazards and Hazardous Materials has been revised to reflect the EMF assumptions more recently relied upon in the Cavaletto Tree Farm Housing Project and the expert opinions of Field Management Services, the sub-consulting EMF modeling consultant for this EIR.

16-85 As provided in Response to Comments 16-3 through 16-12, Impacts AES 1 and AES 5 would remain significant and unavoidable and Alternative 2: Redesign of the Residential Component was retained as design that could reduce the significant and unavoidable impacts. Based on the revisions to Section 4.7 Hazards and Hazardous Materials as it relates to the significant impact from exposure to 2 mG of EMF, the impact analysis for this alternative was revised.

16-86 This comment is addressed above in Response to Comment 16-85.

16-87 Section 6.2.7 Hazards and Hazardous Materials under Alternative 2, was revised to discuss impacts related to the EMF consistent with the revised discussion provided in Section 4.7 Hazards and Hazardous Materials.

16-88 Section 6.2.9 Land Use and Planning under Alternative 2 was updated in accordance with the updates to Section 4.9 Land Use and Planning to describe the ALUC review and consistency with the ALUP. As provided, the potential significant impact, pending ALUC determination, was reduced to less than significant. Alternative 2 would reduce a less than significant impact, and would remain relatively the same as with the project.

16-89 The commenter’s requests to reclassify the significance of the impact to the railroad cut is provided above in Response to Comments 16-37 through 16-56. Based on the reasons outlined above and the EIR analysis, Alternative 3 remains a relevant alternative to reduce this significant and unavoidable impact.

Section 6.3 Alternative 3: Redesign and Reduced Density Residential Alternative was revised to incorporate the revisions that were made to Section 4.7 Hazards and Hazardous Materials as it relates to the significant impact from exposure to 2 mG of EMF.
This comment is addressed above in Response to Comments 16-3 through 16-12. Based on these reasons and the analysis provide in this EIR, Section 4.1 Aesthetics correctly identified significant impacts. These impacts are reduced through Alternative 3, as described. Therefore, the analysis of Alternative 3 as it pertains to the aesthetic impacts remains relevant and was not revised.

This comment is addressed above in Response to Comments 16-37 through 16-56. Based on these reasons and the analysis provide in this EIR, Section 4.1 Aesthetics correctly identified significant impacts. These impacts are reduced through Alternative 3, as described. Therefore, the analysis of Alternative 3 as it pertains to the aesthetic impacts remains relevant and was not revised.

Section 6.3.7 Hazards and Hazardous Materials under Alternative 3, was revised to discuss impacts related to the EMF consistent with the revised discussion provided in Section 4.7 Hazards and Hazardous Materials.

Section 6.2.9 Land Use and Planning under Alternative 2 was updated in accordance with the updates to Section 4.9 Land Use and Planning to describe the ALUC review and consistency with the ALUP. As provided, the potential significant impact, pending ALUC determination, was reduced to less than significant. Alternative 2 would reduce a less than significant impact, and would remain relatively the same as with the project.

With the updates provided to the Hazards and Hazardous Materials and Land Use and Planning discussions, Alternative 3 or a hybrid Alternative 2/3 would remain the environmentally superior alternative.

JENNIFER PACE AND DAVID DECKMAN, DUDEK, NOVEMBER 18, 2011 AS INCORPORATED INTO THE KENNETH MARSHALL, DUDEK, NOVEMBER 21 LETTER

Comment noted.

The DEIR used guidance provided by SBAPCD as to electrical consumption assumptions and default values for natural gas, water usage and solid waste generation. The CalEEMod model is reference in the various Dudek comments was not yet available when the DEIR GHG section was prepared. Although the APCD has not yet formally required the use of CalEEMod in CEQA documents, an update of the DEIR GHG section is recommended for accuracy, particularly since no changes in significance conclusions are engendered by this change.

Comments noted. It should be pointed out that CalEEMod uses EMFAC2007 for mobile source emissions and OFFROAD2007 for off-road construction equipment. Both of these emission models are out of date. While the CalEEMod Version 2011.1.1 is an improvement over the URBEMIS model used in the DEIR (particularly for GHG), further refinement of CalEEMod is necessary and currently underway by the SCAQMD.

CalEEMod was run for the project to update the criteria air pollutant emissions and to confirm the GHG emissions estimates. Although the project architect estimates an enhanced Title 24 energy efficiency of 17 percent, a value of 15 percent has been used
consistent with the City’s energy and green code. The updated non-mobile GHG emissions are shown in Table 4.6-3.

16-99 Comment noted. Combined (updated) annual GHG emissions of 4,551 metric tons (MT) per year from mobile plus non-mobile sources will substantially exceed the 1,100 MT significance threshold.

16-100 The electrical consumption GHG emissions have been modified to incorporate the revised electrical consumption data. APCD states that the average electrical consumption per household is 5,838.56 KWH/year and commercial uses consume 13.63 KWH/year per square foot (Scope and Content..., updated June 2010, p.16). The CalEEMod output is based upon an average of 3,524.96 KWH/year per household and 12.80 KWH/sq. ft./year of commercial space. The substantial decrease in indirect GHG emissions from electricity use results from the much lower consumption data used by CalEEMod than the values in the APCD’s current CEQA Handbook.

16-101 Comment noted, but the SCE-specific factors are not necessarily any more appropriate than the statewide average because the electricity all comes from a grid. Santa Barbara County does not just use SCE service area generated electricity, but rather from the entire CAMX grid. This point is not critical as the difference is less than 12 percent. For consistency, the CalEEMod approach of assigning the GHG conversion factor from the service provider has been retained as is reflected in the revised Section 4.6 Greenhouse Gas Emissions.

16-102 As noted above, the Title 24 super-efficiency has been modified to 15 percent. The mitigated annual GHG emissions from electrical consumption change from the suggested 605 MT of CO2(e) to 607 MT.

16-103 The URBEMIS model apparently dramatically overstates the natural gas consumption. The URBEMIS model does not explicitly show the consumption data such that it is not possible to reconcile the CalEEMod and the URBEMIS differences. The failure to convert 681 short tons to 620 metric tons is noted. Since the DEIR table is now updated, that error is negated.

16-104 Comment noted. The updated value is 193 MT CO2(e) per year as shown in Table 1.

16-105 Assuming a 15 percent improvement above Title 24 requirements, the mitigated natural gas combustion GHG emissions are 169 MT CO2(e) per year.

16-106 The DEIR assumed all water consumption would be treated as wastewater as a worst-case assumption and calculated annual consumption of 25.7 million gallons per year for the apartments as the largest water user. The updated calculation shows approximately 29 million gallons per year, but only 60 percent of that will require energy expenditure for wastewater treatment. The resulting GHG emissions are lower than calculated in the DEIR.

16-107 As noted above, use of a single water consumption factor over-estimated GHG emissions. The revised CalEEMod estimate, using unmodified electrical intensity factors in the model, is 71 MT CO2(e) per year.
The difference between the solid waste generation rate in Sections 4.14 and 4.6 is negligible.

The GHG conversion rate used in the DEIR is different from the CalEEmod assumptions in that the assumed landfill gas recovery rate of 94 percent is far more optimistic than the stated rates in landfill impact studies of 85 to 90 percent. The CalEEMod calculation has been accepted in the update.

9.1.17 TAYLOR, ARON, PG, CEG AND URBAN, GARY, PE, GE, GMU GEOTECHNICAL, INC., JANUARY 6, 2012

17-1 Reference to the GMU 2011 reports was added.

17-2 Reference to the GMU 2011 reports was added.

17-3 Reference to the GMU 2011 reports was added.

17-4 Section 4.5.1 Intermediate-age Quaternary Alluvium was revised to clarify the “saturated” qualification.

17-5 The 20 percent slope criteria stability is a common generality based on physical characteristics and no data is necessary.

17-6 Section 4.5.1 Intermediate-age Quaternary Alluvium was revised to include language regarding slope height and inclination.

17-7 Section 4.5.1 Intermediate-age Quaternary Alluvium was revised to include language stating that soil layers within the unit have the potential to be highly expansive.

17-8 Section 4.5.1 Geologic Structure was revised to include a more detailed description of regional faults consistent with the State of California Alquist-Priolo Earthquake Fault Zoning Act of 2007.

17-9 Section 4.5.1 Geologic Structure was revised to include reference to the Goleta Safety Element of the GP/CLUP, which indicates the More Ranch fault has a maximum credible earthquake magnitude of 5.8+ consistent with Table 4.5-2.

17-10 The word “Active” was deleted from the title of Figure 4.5-2.

17-11 Section 4.5-1 Geologic Structure was revised to expand the conclusions of the exploratory trenching as indicating an absence of a surface rupture hazard.

17-12 The text requested by the commenter was not verified within the Cabrillo Business Park EIR. However, additional clarification was added relative to the El Encanto fault trajectory location, as referenced in the Cabrillo Business Park EIR.

17-13 Section 4.5-1 Geologic Structure was revised to most accurately reflect the statements provided in the GMU 2007 report.

17-14 Section 4.5-1 Geologic Structure was revised to include the word “possible” in the two locations requested.
17-15  Section 4.5-1  **Geologic Structure** was revised to incorporate language suggested, but
provided to more accurately reflect as was stated in the GMU 2007 and 2009 reports.

17-16  Section 4.5-1  **Geologic Structure** “Folds and Bedding Plans” was revised to “Folds and
Bedding Planes.”

17-17  Section 4.5-1  **Geologic Structure** was revised in part as requested, with additional
revisions to clarify the soil conditions as “alluvium (or stiff soil,” and the appropriate

17-18  The EIR does not need to provide all of the detail in the technical geologic analyses
reports and references, but is designed to provide sufficient information to support the
conclusions. A reader may refer to the document, which is incorporated by reference,
should they be interested in obtaining more detailed technical information.

17-19  The peak horizontal ground acceleration (PHGA) of 0.59 g is based on prior reports
prepare by GMU. In any event, it was changed to 0.58 g as it was subsequently
changed by GMU in their 2011 report. This change is inconsequential.

17-20  Section 4.5.2  **Alquist-Priolo Earthquake Fault Zoning Act** was revised to incorporate the
background information relative to the Act’s definitions of active faults.

17-21  “PA” was removed from Table 4.5-4 as the project engineering geologist, Aron Taylor,
MS., PG, CEG 2455 and geotechnical engineer, Gary Urban, PE, GE 2237 have
maintained that the trenching they’ve conducted indicates that potential surface faults
across the site are not active.

17-22  Table 4.5-4 was revised to use 0.58 g as the Peak Ground Acceleration.

17-23  At the time the EIR was initiated, the applicant had provided the GMU geologic reports,
which were based on one sample for peer review. Subsequently, more samples were
taken by GMU on behalf of the applicant after the EIR analysis was prepared. “One
sample” has been changed to “samples.”

17-24  **Impact Geo 2** was revised to simplify the relative location of the El Encanto fault and
achieves the same intent of the commenter.

17-25  “Potentially active” was removed from Section 4.5.4  **Project Impacts** as requested.

17-26  The statement referenced by the commenter does not address the Alquist-Priolo Act as
suggested and does not infer that the main fault is on or below the site.

17-27  Section 4.5.4  **Project Impacts** was revised to clarify the possible mapped versions of the
El Encanto fault and the results of the on-site geologic investigations.

17-28  “In an overview fashion” was deleted from Section 4.5.4  **Project Impacts** as GMU
subsequently prepared additional analysis in their 2011 report.
17-29 Section 4.5.4 Project Impacts was revised to indicate a potential for groundwater at depths less than 50 feet below the surface.

17-30 Section 4.5.4 Project Impacts was revised to incorporate additional information based on the GMU 2011 report that subsequently addressed liquefaction in greater detail.

17-31 As additional information relative to the liquefaction potential was provided in GMU 2011, “deep pile foundations” as a possible geotechnical recommendation was removed from the discussion of Impact Geo 5.

9.1.18 DOLLAR, SHAWN, EMAIL CORRESPONDANCE, NOVEMBER 10, 2011

18-1 The photographs illustrating the differences in existing elevations of the project site, Glen Annie Road, and the Pacific Glen rental residential unit where the commenter resides are noted. The differences in project grade elevations and the adjacent residential units along Glen Annie Road are presented in detail within Section 4.1 Aesthetics. A response to Ms. Tasha Williams, who referenced these photographs and spoke on behalf of this commenter during the November 10, 2011 public hearing, is provided in Section 9.2.

9.2 RESPONSE TO VERBAL COMMENTS RECEIVED DURING THE PUBLIC ENVIRONMENTAL HEARING HELD NOVEMBER 10, 2011

The following description of Ms. Tasha William's comments is taken directly from the Environmental Hearing Minutes:

Tasha Williams, represented Shawn Dollar who resides on Glen Annie Road, across the street from the proposed two-story buildings. She pointed out that Mr. Dollar's house, and the other houses on his street, are located approximately four feet below the street level. She presented photographs from Mr. Dollar’s front door that look up four feet to the street, and another seven feet to the site where the two-story buildings are proposed. Mr. Dollar requests that consideration be given to bringing the road down to the same level his house is built on so that the new two-story buildings on one side of the street will be similar to the existing two-story homes on the other side of the street.

The photographs provide by Ms. Williams are provided at the end of the comment letters.

Response

The applicant has revised the project Site Plan (Figure 2-3) as provided in Section 2.0 Project Description to combine buildings (formerly Buildings 15 and 17) into one (Building 3). Building 3, which would be located most directly across from where it appears the commenter took photographs, would be two-story. The revised Site Plan would place the rear of Buildings 3 and 6 along Glen Annie Road and includes an increased setback that reaches approximately 44.5 feet between the buildings and the Glen Annie Road right-of-way. The increased setback and landscaping would help to reduce the massing appearance and any compatibility issues.
It is not a part of the project, and is not considered feasible, to reduce the elevations of the existing Glen Annie Road to the same floor elevations of the housing unit where Mr. Shawn Dollar may reside. To reduce the elevations of the roadway would require an extensive amount of earthwork, changes to the area hydrology, changes to any underlying utilities and utilities within the road right-of-way (e.g. the transmission lines), and would prohibit the use of the public roadway and walkways for the duration of such construction activity. The roadway is currently used for access to the Pacific Glen residential community and the Southern California Edison facility at the terminus of the road, as well as for parking. Furthermore, reducing the elevation of the road would significantly change the grading plan required for the entire project site, as the project site would need to be similarly reduced in elevation (thereby exporting cut soils) or it would require significant construction of retaining walls along the eastern boundary to allow for the differences in elevations. Such a change to the roadway elevation would also have to consider what effect the construction and long-term operational effects it would have on the other residents or other uses along Glen Annie Road.
November 17, 2011

Scott Kolwitz
Goleta Planning
130 Cremona Dr #B
Goleta, CA 93117

Subject: Westar Project Draft Environmental Impact Report

Dear Mr. Kolwitz:

Thank you for the opportunity to provide comment upon the subject’s project Draft Environmental Impact Report (DEIR). Caltrans has provided perspective and guidance relative to this project’s impact analysis needs on March 11, 2010 and August 23, 2010. The DEIR does not appear to speak to the issues raised in that correspondence. US 101 is essentially ignored within the DEIR. Caltrans provides the following comments:

1. **US 101 Northbound off-ramp at Glen Annie; Queuing Analysis.** Caltrans has received reports of traffic queuing onto the mainline at the Glen Annie northbound US 101 off-ramp. Caltrans requests, and has previously requested, a queuing analysis be performed to determine existing and project conditions. The city has identified a capital improvement project at this location (an auxiliary lane between Los Carneros and Glenn Annie), of which there is no discussion at all relative to this project.

   Queuing analyses should include both Glen Annie and Los Carneros interchanges.

2. **US 101 Southbound on-ramp at Stork Road; Merge/Diverge Analyses** – The DEIR indicates that a mitigation measure related to this project is construction of an additional northbound lane on Stork Road between Hollister Road and the Southbound on-ramp. This improvement will include a free right-turn onto the on-ramp. This will increase vehicle density at a faster rate to the on-ramp/mainline junction. This will create slower merging speeds and reduce the operational capacity of the freeway mainline. This discussion is completely omitted from both technical and narrative analyses.

   As requested in the earlier correspondence referenced above, this project’s analysis should have included these items as well as a southbound on-ramp adaptive ramp metering installation. None of this was accomplished.

   Merge/diverge analyses is required to determine effects of this project’s traffic contribution and the construction of the free-right turn at the on-ramp.

3. **Ramp Intersection Analyses: Right Turn on Red.** Relatively high right-turn-on-red (RTOR) reductions are applied to the ramp node approaches. The majority of approaches have shared
right turn lanes with through movements (non-exclusive right turn lanes), invalidating the use of large RTOR reductions.

"In the absence of field data, it is preferable for most purposes to utilize the right-turn volumes directly without a reduction for RTOR except when an exclusive right-turn lane movement runs concurrent with a protected left-turn phase from the cross street." (Highway Capacity Manual, 16-9).

4. **Ramp Intersection Analyses; Pedestrians/Bicyclists** It appears that the intersection analyses fail to account for pedestrians and bicyclists. Pedestrians and bicyclists require allocated green time, which can delay or reduce vehicle green time, thus degrading the operating conditions of an intersection. Given that government at all levels actively advocate alternate modes of transportation, are advocating for complete streets doctrine, and are making investments in pedestrian and bike infrastructure, it should be routine that this type of transportation user is part and parcel of traffic analyses. By omitting pedestrians and bicyclists the traffic study overestimates intersection capacity and any analysis will reflect better than actual or computed operating conditions.

5. **Interchange improvements.** Caltrans, as responsible agency, recommends that the lead agency conduct the analysis needed for ramp and freeway operations, which would include ramp metering installation at Stork and Los Carneros southbound on-ramps. This should include the effects, if any, upon local streets and intersections. Whether this is accomplished with development projects such as Westar or others (which would be prudent), please know that if and when the proposed modifications to the interchange and/or ramp intersections require obtaining a Caltrans encroachment permit, a condition of approval for that permit will include installation of adaptive ramp metering.

All work and costs required for that improvement - engineering design, environmental work, and construction - will be the responsibility of the permittee.

Thank you for your consideration of these comments. If you have any questions about these comments, I can be reached at (805) 549.3632.

Sincerely,

Chris Shaeffer  
Caltrans District 5  
Development Review
c:  L. Newland
    Steve Wagner – City of Goleta
    Rosemarie Gaglione – City of Goleta
    P. Mclintic
    F. Boyle
    S. Price
    S. Senet
    M. Stroder
    Peter Imhoff - SBCAG
November 18, 2011

Scott Kolwitz
City of Goleta
Planning & Environmental Services
130 Cremona Drive, Suite B
Goleta, CA 93117


Dear Mr. Kolwitz:

The Air Pollution Control District (APCD) has reviewed the Draft Environmental Impact Report (EIR) for the referenced case, which consists of a mixed use commercial/residential project on a 23.5 acre property. The majority of the property is currently vacant. Existing uses are a commercial office building and an ATM drive-through that are proposed to be demolished.

The proposed project includes a residential component with 274 rental apartments contained in 5 two-story buildings, 14 three-story buildings and 5 live/work condos. The residential component would occupy 13.7 acres in the northern portion of the site. The 5 live/work units are located in the commercial area of the project and would have a total of 8,426 square feet (s.f.) of residential space and 3,094 s.f. of commercial space.

Amenities would include a clubhouse with pool and leasing office, a tot lot, picnic facilities, passive recreation open spaces, trails, a community car wash and a maintenance building. A total of 545 parking spaces will be provided for residents in enclosed garages, carports and open spaces.

The commercial component of the project consists of a total of 90,054 s.f. of commercial space (including the live/work space) in 9 buildings ranging in floor area from approximately 4,193 s.f. to 31,812 s.f. The commercial component would occupy the 9.8 acres on the southern portion of the site. Potential uses for the commercial buildings include specialty retail, restaurants, offices, grocery stores and drug stores. A total of 360 parking spaces are proposed for the commercial component.

The subject property consists of two parcels, 073-030-020 and 073-030-021, totaling 23.5 acres. The project area is currently zoned Mobile Home Subdivision with an Affordable Housing Overlay (MHS/AHO - 12.3) and Industrial Research Park (M-RP). The proposed project includes a rezone to Shopping Center (SC) and Design Residential (DR-20), and a General Plan Amendment. The project area is bounded by Hollister Ave to the south, Highway 101 to the north, Glen Annie Road to the east, and single-family residences along Santa Felicia Drive to the west.

Future tenants of the proposed commercial buildings are not known at this time. Future tenants with stationary pollution sources may be required to obtain permits from the APCD and conduct environmental review under CEQA, with the APCD as the lead agency.

Air Pollution Control District staff offers the following comments on the Draft EIR:
1. **Air Quality Section, Existing Air Quality, Pg. 4.2-2:** The first numbered statement, pertaining to exceedances of the ozone standards, is out of date. Please revise the statements in this section to reflect data from 2009 and 2010. The state and federal 8-hour ozone standards were exceeded in 2009.

2. **Air Quality Section, Existing Air Quality, Table 4.2-1, Pg. 4.2-3:** Please revise the table to include available data from recent years. The values for PM10 and PM2.5 appear as fractions and need to be clearly labeled, as in Table 4.2-7. Also, the table row with the title of “ultra-fine particulates” is labeled PM10 and should be revised to PM2.5.

3. **Air Quality Section, Operational Impacts – Health Risk from Exposure to Toxic Air Contaminants Generated by Mobile and Stationary Sources, Pg. 4.2-14:** The third paragraph on this page indicates that the APCD rationale for citing the CARB guidance to avoid locating new residences within 500 feet of the US 101 is that adverse health effects relate to sufficiently high traffic volumes. Please note that the observed adverse health impacts of the scientific studies referred to in APCD’s letter dated November 5, 2009 (attached) are not based on specific pollutants (such as diesel particulate matter) or dose-response relationships. The APCD’s rationale for citing the CARB guidance is based on the project’s proposal to place residential receptors in close proximity to a freeway when there are known health impacts. Please include the November 5, 2009 letter and attachments in the Final EIR to provide additional clarification of the issue.

4. **Air Quality Section, Consistency with Air Quality Planning, Pg.4.2-16:** At the bottom of this page, email correspondence with APCD staff is cited as a source. Please revise to cite the primary source for Clean Air Plan consistency, the APCD’s public guidance document, *Scope and Content of Air Quality Sections in Environmental Documents*.

5. **Greenhouse Gas Section, Introduction, Pg. 4.6-2:** At the end of this section, footnote #3 refers to GHG reductions from carbon sinks. Please clarify the text to indicate that carbon sinks can be deducted from an annual inventory of emissions only if the sinks were also generated in that year. Existing sinks do not provide an annual reduction in greenhouse gas (GHG) emissions.

6. **Greenhouse Gas Section, Regulatory Framework, Pg. 4.6-5:** The section title “Senate Bill (SB) 94” should be changed to Senate Bill (SB) 97.

7. **Greenhouse Gas Section, Thresholds of Significance, Pg. 4.6-8:** The APCD would not be a CEQA responsible agency unless the project contained some component requiring an APCD permit. In the absence of a regulated stationary source, the APCD would be a CEQA commenting agency. Please revise the text to accurately reflect APCD’s role in the CEQA process for the project.

8. **Greenhouse Gas Section, Total Emissions, Pg. 4.6-10:** Please provide the data source for the Service Population values of 726 residents and 262 employees identified in footnote #5.

9. **Greenhouse Gas Section, Mitigation Measures, Pg. 4.6-11:** The list of potential GHG mitigations includes the use of water-based paints. Although the use of water-based paints may
reduce the emissions of reactive organic compounds, it may not result in GHG reductions during construction. Please clarify how water-based paints reduce GHG emissions.

Air Pollution Control District staff offers the following suggested permit conditions:

1. Standard dust mitigations (Attachment A) are recommended for all construction and/or grading activities. The name and telephone number of an on-site contact person must be provided to the APCD prior to issuance of land use clearance.

2. APCD Rule 345, Control of Fugitive Dust from Construction and Demolition Activities establishes limits on the generation of visible fugitive dust emissions at demolition and construction sites. The rule includes measures for minimizing fugitive dust from on-site activities and from trucks moving on- and off-site. The text of the rule can be viewed on the APCD website at www.sbcapcd.org/rules/download/rule345.pdf.

3. Fine particulate emissions from diesel equipment exhaust are classified as carcinogenic by the State of California. Therefore, during project grading, construction, and hauling, construction contracts must specify that contractors shall adhere to the requirements listed in Attachment B to reduce emissions of ozone precursors and fine particulate emissions from diesel exhaust.

4. Prior to occupancy, APCD permits must be obtained for all equipment that requires an APCD permit. APCD Authority to Construct permits are required for diesel engines rated at 50 bhp and greater (e.g., firewater pumps and emergency standby generators) and boilers/large water heaters whose combined heat input rating exceeds 2.0 million BTUs per hour.

5. All portable diesel-fired construction engines rated at 50 brake-horsepower or greater must have either statewide Portable Equipment Registration Program (PERP) certificates or APCD permits prior to operation. Construction engines with PERP certificates are exempt from APCD permit, provided they will be on-site for less than 12 months.

6. The applicant is required to complete and submit an Asbestos Demolition/Renovation Notification (APCD Form ENF-28 which can be downloaded at www.sbcapcd.org/eng/dl/dl08.htm) for each regulated structure to be demolished or renovated. Demolition notifications are required regardless of whether asbestos is present or not. The completed notification should be presented or mailed to the Santa Barbara County Air Pollution Control District with a minimum of 10 working days advance notice prior to disturbing asbestos in a renovation or starting work on a demolition. For additional information regarding asbestos notification requirements, please visit our website at www.sbcapcd.org/biz/asbestos.htm or contact APCD’s Engineering and Compliance Division at (805) 961-8800.

7. At all times, idling of heavy-duty diesel trucks must be limited to five minutes; auxiliary power units should be used whenever possible. State law requires that drivers of diesel-fueled commercial vehicles:
   • shall not idle the vehicle’s primary diesel engine for greater than 5 minutes at any location
   • shall not idle a diesel-fueled auxiliary power system (APS) for more than 5 minutes to power a heater, air conditioner, or any ancillary equipment on the vehicle.
8. At a minimum, prior to occupancy any feasible greenhouse gas reduction measures from the following sector-based list should be applied to the project:
   - Energy use (energy efficiency, low carbon fuels, renewable energy)
   - Transportation (reduce vehicle miles traveled, compact and transit-oriented development, pedestrian- and bicycle-friendly communities)
   - Water conservation (improved practices and equipment, landscaping)
   - Waste reduction (material re-use/recycling, composting, waste diversion, waste minimization)
   - Architectural features (green building practices, cool roofs)


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

Sincerely,

Eric Gage,
Air Quality Specialist
Technology and Environmental Assessment Division

Attachments: Fugitive Dust Control Measures
              Diesel Particulate and NOx Emission Measures
              APCD Response to NOP of DEIR for Westar Mixed Use Project, November 5, 2009

cc: Project File
    TEA Chron File
ATTACHMENT A
FUGITIVE DUST CONTROL MEASURES

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

- During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this should include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency should be required whenever the wind speed exceeds 15 mph. Reclaimed water should be used whenever possible. However, reclaimed water should not be used in or around crops for human consumption.

- Minimize amount of disturbed area and reduce on site vehicle speeds to 15 miles per hour or less.

- If importation, exportation and stockpiling of fill material is involved, soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation. Trucks transporting fill material to and from the site shall be tarped from the point of origin.

- Gravel pads shall be installed at all access points to prevent tracking of mud onto public roads.

- After clearing, grading, earth moving or excavation is completed, treat the disturbed area by watering, or revegetating, or by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur.

- The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution Control District prior to land use clearance for map recordation and land use clearance for finish grading of the structure.

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

MONITORING: Lead Agency shall ensure measures are on project plans and maps to be recorded. Lead Agency staff shall ensure compliance onsite. APCD inspectors will respond to nuisance complaints.
Particulate emissions from diesel exhaust are classified as carcinogenic by the state of California. The following is an updated list of regulatory requirements and control strategies that should be implemented to the maximum extent feasible.

The following measures are required by state law:

- All portable diesel-powered construction equipment shall be registered with the state’s portable equipment registration program OR shall obtain an APCD permit.

- Fleet owners of mobile construction equipment are subject to the California Air Resource Board (CARB) Regulation for In-use Off-road Diesel Vehicles (Title 13 California Code of Regulations, Chapter 9, § 2449), the purpose of which is to reduce diesel particulate matter (PM) and criteria pollutant emissions from in-use (existing) off-road diesel-fueled vehicles. For more information, please refer to the CARB website at www.arb.ca.gov/msprog/ordiesel/ordiesel.htm.

- All commercial diesel vehicles are subject to Title 13, § 2485 of the California Code of Regulations, limiting engine idling time. Idling of heavy-duty diesel construction equipment and trucks during loading and unloading shall be limited to five minutes; electric auxiliary power units should be used whenever possible.

The following measures are recommended:

- Diesel construction equipment meeting the California Air Resources Board (CARB) Tier 1 emission standards for off-road heavy-duty diesel engines shall be used. Equipment meeting CARB Tier 2 or higher emission standards should be used to the maximum extent feasible.

- Diesel powered equipment should be replaced by electric equipment whenever feasible.

- If feasible, diesel construction equipment shall be equipped with selective catalytic reduction systems, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California.

- Catalytic converters shall be installed on gasoline-powered equipment, if feasible.

- All construction equipment shall be maintained in tune per the manufacturer’s specifications.

- The engine size of construction equipment shall be the minimum practical size.

- The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.

- Construction worker trips should be minimized by requiring carpooling and by providing for lunch onsite.

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

**MONITORING:** Lead Agency staff shall perform periodic site inspections to ensure compliance with approved plans. APCD inspectors shall respond to nuisance complaints.
Re: Westar Mixed Use Village, 08-143-GPA-RZ-OA-TM-DP-CUP-DRB

Dear Mr. Kolwitz:

The Santa Barbara County Air Pollution Control District (APCD) appreciates the opportunity to provide comments on the proposed Westar Mixed Use Village. This letter supersedes the letter dated November 4, 2009 with updates to the project description. The project consists of a mixed use commercial/residential project with up to 90,000 square feet (s.f.) of commercial space, with suites ranging from approximately 520 s.f. to 25,000 s.f. Also proposed are 300 rental apartments contained in 5 two-story buildings, 15 three-story buildings and 5 live/work condos. Amenities would include a pool, pocket parks, walkways, a carwash, and a maintenance building. The 5 live/work units would have a total of 8,426 s.f. of residential space and 3,294 s.f. of commercial space.

The subject property consists of two parcels, 073-030-020 and 073-030-021, totaling 23.5 acres. The project area is currently zoned Mobile Home Subdivision with an Affordable Housing Overlay (MHS/AHO - 12.3) and Industrial Research Park (M-RP). The proposed project includes a rezone to Shopping Center (SC) and Design Residential (DR-20), and a General Plan Amendment. The project area is bounded by Hollister Ave to the south, HWY 101 to the north, Glen Annie Road to the east, and single-family residences along Santa Felicia Drive to the west.

APCD’s guidance document, entitled Scope and Content of Air Quality Sections in Environmental Documents (updated June, 2008) is available online at www.sbcapcd.org/apcd/landuse.htm. This document should be referenced for general guidance in assessing air quality impacts in any upcoming environmental documents for the project. The EIR should evaluate the following potential impacts related to the mixed use village:

1. Proximity to Highway 101. APCD staff recommends that sensitive land uses, such as residential, should not be sited within 500 feet of a freeway. This is based on guidance from the California Resources Board (Air Quality and Land Use Handbook: A Community Health Perspective, CARB, April 2005) and supplemented by information gathered by APCD, summarized in the attached “Public Health and High Traffic Roadways”.

These materials summarize the numerous studies that have demonstrated a correlation between proximity to high-traffic roads and respiratory illness. The studies are not based on specific pollutants or dose-response relationships, and no mitigation or threshold is identified that can reduce the proximity-
related impacts other than increasing the distance between the sensitive receptors and the road. This is not intended to discourage mitigation measures such as particulate filters in household ventilation systems.

Siting of sensitive receptors within 500 feet of the freeway would potentially increase the risk to future residents of the project and should be discussed in the Air Quality section of the environmental document.

2. **Attainment Status and Consistency with the APCD 2007 Clean Air Plan (CAP).** The APCD has posted the most up-to-date attainment status for the County on the APCD website [www.sbcapcd.org/sbc/attainment.htm](http://www.sbcapcd.org/sbc/attainment.htm) and the most recent Clean Air Plan is available at [www.sbcapcd.org/cap.htm](http://www.sbcapcd.org/cap.htm). The website should be consulted for the most up-to-date air quality information prior to the release of the Public Draft EIR.

The 2007 CAP used the 2002 regional growth factors for land use and population projections provided by the Santa Barbara County Association of Governments (SBCAG), along with on-road emissions forecasts provided by the California Air Resources Board (ARB) as a basis for vehicle emissions forecasting. The EIR should examine whether the proposed project would be consistent with the growth assumptions in the 2007 CAP.

Many industrial and manufacturing sources, as well as buildings with large heating devices or generator engines, may be subject to APCD rules and permit requirements. Commercial or industrial projects will be considered consistent with the CAP if they are consistent with APCD rules and regulations. Large industrial stationary source projects may be found inconsistent if their direct emissions are not considered in the CAP stationary source emission inventory (Section 4.4 of APCD's *Scope and Content* document).

3. **Land Use Conflicts Related to Air Quality Emissions.** The EIR should examine whether any of the operations associated with the proposed project will result in air quality impacts to sensitive land uses such as residential, childcare facilities, schools, or senior living communities. Examples of this type of impact include odors from restaurants, dust, or toxic air contaminants such as diesel particulate emissions from trucks.

4. **Increase in Emissions from Proposed Project.** The EIR should present significance thresholds for ozone precursor emissions (reactive organic compounds [ROC], and oxides of nitrogen [NOX]) and particulate matter and determine whether the proposed project will produce emissions in excess of the thresholds. APCD’s *Scope and Content* document contains the APCD Board-adopted criteria for evaluating the significance of adverse air quality impacts for APCD projects. APCD recommends that the City of Goleta use these, or more stringent, thresholds to determine significance of air quality impacts.

The proposed project will involve air quality impacts associated with motor vehicle trips from the residential population of the project, patrons of the commercial uses on the site, and from delivery truck trips serving the commercial uses. The air quality impact analysis should be based on a project-specific traffic study whenever possible. In addition to motor vehicle emissions, the analysis should include emissions associated with unpermitted stationary sources such as residential and commercial heating
and cooling equipment. These emissions (termed “area source” emissions) should be included in the operational phase emission evaluation. If any of the commercial land uses are anticipated to require APCD permits (for example, gas stations or drycleaners, termed “stationary sources”), these emissions should also be presented in the analysis.

Stationary and area source emissions must be added to transportation source emissions prior to applying the project-specific thresholds of significance. If the proposed project exceeds the significance thresholds for air quality, mitigations should be applied to reduce those emissions to below the levels of significance. Section 5 of APCD’s Scope and Content document offers ideas for air quality mitigations. However, project-specific measures should be developed that are pertinent to the subject project and are enforceable by the lead agency.

5. **Construction Impacts.** The EIR should discuss the potential air quality impacts associated with construction activities for the proposed project. APCD’s June, 2008 Scope and Content document, Section 5.1, presents recommended mitigation measures for fugitive dust and equipment exhaust emissions associated with construction projects. Construction mitigation measures should be enforced as conditions of approval for the project. The EIR should have a Mitigation Monitoring and Reporting Plan that explicitly states the required mitigations and establishes a mechanism for enforcement.

6. **Asbestos Reporting Requirements.** If the project will involve any demolition or renovation of existing structures, the EIR should discuss notification and reporting requirements pursuant to APCD Rule 1001 — National Emission Standards for Hazardous Air Pollutants (NESHAPS) — Asbestos.

7. **Contaminated Soils.** If contaminated soils are found at the project site, the APCD must be contacted to determine if Authority to Construct and/or Permit to Operate permits will be required.

8. **Global Climate Change/Greenhouse Gas impacts.** Global climate change is a growing concern that needs to be addressed in CEQA documents, and we recommend that the discussion be included under cumulative impacts. Although there are currently no published thresholds for measuring the significance of a project’s cumulative contribution to global climate change, the California Office of Planning & Research (OPR) issued a Technical Advisory titled *CEQA and Climate Change: Addressing Climate Change Through California Environmental Quality Act (CEQA) Review* (dated June 19, 2008, available at the OPR website, [www.opr.ca.gov](http://www.opr.ca.gov)). This advisory provides guidance to land use agencies in the interim period, until the state CEQA Guidelines are revised. The advisory states on page 4, in the third paragraph, “Public agencies are encouraged but not required to adopt thresholds of significance for environmental impacts. Even in the absence of clearly defined thresholds for GHG emissions, the law requires that such emissions from CEQA projects must be disclosed and mitigated to the extent feasible whenever the lead agency determines that the project contributes to a significant, cumulative climate change impact.” Furthermore, the advisory document indicates in the third bullet item on page 6 that “in the absence of regulatory standards for GHG emissions or other scientific data to clearly define what constitutes a ‘significant impact’, individual lead agencies may undertake a project-by-project analysis, consistent with available guidance and current CEQA practice.”

In light of this guidance from OPR, APCD staff strongly recommends disclosing potential GHG emissions associated with the proposed project and the use of all feasible mitigation measures for long-term
impacts. At a minimum, the project should include energy-conserving measures and mitigations to reduce emissions of greenhouse gases by:

- Incorporating green building technologies;
- Increasing energy efficiency measures at least 20% beyond those required by California’s Energy Efficiency Standards for Residential and Nonresidential Buildings (Title 24, Part 6, of the California Code of Regulations);
- Encouraging the use of transit, and in more compact urban areas, bicycling and walking;
- Increasing recycling goals (e.g., separate waste and recycling receptacles); and,
- Increasing street landscaping (shade trees decrease energy requirements and also provide carbon storage).

For more information regarding these and other mitigation measures, please refer to the CAPCOA CEQA & Climate Change document, available at www.sbcapcd.org/apcd/landuse.htm, and to the California Attorney General’s list of mitigation measures at www.ag.ca.gov/globalwarming/pdf/GW_mitigation_measures.pdf.

9. Transportation Measures to Reduce Air Quality Impacts. The mixed use village and associated EIR should include measures that promote the use of alternate modes of transportation and focus on reducing vehicle miles traveled, vehicle trips, and peak-hour travel. Because the mixed use village involves a substantial amount of both residential and commercial development in undeveloped areas, additional transit services should be proposed for these areas.

We hope you find our comments useful. We look forward to reviewing the Draft EIR. Please contact me at 961-8893 or by e-mail at edg@sbcapcd.org if you have questions.

Sincerely,

[Signature]

Eric Gage
Air Quality Specialist
Technology and Environmental Assessment Division

Attachment: Public Health and High Traffic Roadways

cc: TEA Chron File
Public Health and High Traffic Roadways

California Air Resources Board Recommended Policy:
Sensitive land uses such as residences, schools, day care centers, playgrounds, and medical facilities should not be sited within 500 feet of:

- A freeway
- Urban roads with 100,000 or more vehicles/day
- Rural roads with 50,000 or more vehicles/day

(Ref. “Air Quality and Land Use: A Community Health Perspective.” California Air Resources Board. April 2005)

Reason for the Policy:
Many studies show that living in proximity to freeways and other high traffic roadways leads to adverse health effects beyond those associated with regional air pollution. A number of studies that focused on children have found slower lung development and significant increases in the incidence of lung disease, such as asthma, bronchitis, and decreased lung function, in children who live or attend school near heavily travelled roadways. In addition to children, seniors, and people with heart and lung conditions are considered particularly sensitive to effects of air pollution. Residence in high-traffic areas has been shown to increase the risk of mortality within a cohort of male veterans.

Health Studies:
The results of health studies suggest that it is important to avoid exposing children and other sensitive populations to the elevated air pollution levels near freeways and other high traffic roads. While particulate pollution is suspected as contributing the most to the adverse health effects, studies have not yet determined which specific pollutants and sources (cf. diesel particulate, re-entrained roadway dust particulate, NO2 vehicle exhaust, diesel trucks vs. gasoline cars, &c.) are responsible. Additional studies are underway. While significant adverse health effects were observed in children who lived within 1,500 feet of a freeway (Gaudeman, 2007), the studies indicate a substantial benefit to a 500 foot separation (McConnell, 2006).

Key Findings:
- Reduced lung function in children is associated with traffic density within 1,000 feet and the strongest association is within 300 feet of the roadway. (Brunekreef, 1997)
- Children living within 550 feet of heavy traffic have more medical visits than children who live further away from traffic. (English, 1999)
- Increased asthma hospitalizations are associated with living within 650 feet of heavy traffic. (Lin, 2000)
- Asthma symptoms increase with proximity to roadways and the risk is greatest within 300 feet. (Venn, 2001)
- Asthma and bronchitis symptoms in children are associated with proximity to high traffic in a community with good overall regional air quality. (Kim, 2004)
- Children living within 150 - 200 meters (~450 feet - 600 feet) of heavy traffic have higher rates of asthma than children living further away from traffic. (McConnell, 2006)
- Children living within 500 meters (~1,500 feet) of heavy traffic have significantly slower lung development than children living further away from traffic. (Gaudeman, 2007)
- Survival of members of the Washington University-EPRI Veterans Cohort is strongly and robustly associated with county-average levels of traffic related air pollution and mortality relationships are stronger in the counties with higher levels of traffic density. (Lipfert et al, 2009)

Applicability to Santa Barbara County:
The studies covered children in a variety of urban environments living in proximity to roadways covering a wide spectrum of traffic volumes. The adverse health effects were measured at traffic volumes as low as 41,000 vehicles per day (English) and between 80,000 and 150,000 vehicles per day (Brunekreef). Highway 101, through Santa Barbara County, experiences traffic volumes within the range where health effects have been observed. Also, some parts of Highway 101 see over 7000 diesel trucks per day.
(SBCAG). Furthermore, running parallel to Highway 101 through the southern portion of Santa Barbara County is a rail corridor that contributes significantly to the pollution levels near the highway (cf., rail contributes an additional 10% or 0.07 tons per day to mobile source generated PM10 emissions in Santa Barbara County).

2006 Average Daily Traffic (ADT) Volumes for Highway 101 (SBCAG):
US 101 at Glenn Annie = 65,800 ADT
US 101 at Highway 150 = 68,000 ADT
US 101 at Las Positas = 140,000 ADT
US 101 at Highway 166, Santa Maria = 55,000 ADT

Conclusion:
In order to protect the public health, especially the health of children, from the adverse effects of air pollutants generated by traffic on Highway 101, land use policies should prohibit the construction of new residences, schools, day care centers, playgrounds, and medical facilities within 500 feet of Highway 101. No other roadways in Santa Barbara County currently have estimated traffic volumes at the magnitude for which the proximity studies have identified adverse health effects.

References:
Roseville Rail Yard Study. California Air Resources Board (October 2004).
"2007 Clean Air Plan." Santa Barbara County Air Pollution Control District (August 2007).
"2007 Travel Trends Report for Santa Barbara County.” Santa Barbara County Association of Governments. (December 2007)
November 18, 2011

Steve Chase
Director of Planning and Environmental Services
City of Goleta
130 Cremona Drive, Suite B
Goleta, CA 93117

Re: Westar Mixed-Use Development Project Consistency Determination

Dear Steve:

The City of Goleta referred the Westar Mixed-Use Development project to SBCAG for consistency determination with the Airport Land Use Plan (ALUP) on October 7, 2011. SBCAG has 60 days from the date of referral (until December 6, 2011) to determine the consistency of the proposed project.

On November 17, 2011, the SBCAG Board, acting as the Airport Land Use Commission for the County of Santa Barbara, reviewed the project and determined that the project was consistent with the ALUP, provided that the project is conditioned to require suitable, non-reflective roofing materials.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Peter Imhof
Deputy Director, Planning

cc: Phil Crimmins, Caltrans Division of Aeronautics
Karen Ramsdell, Santa Barbara Airport
File (CP 03-04-15)
November 21, 2011

Planning & Environmental Services
130 Cremona Drive, Suite B
Goleta, CA 93117
Attention: Mr. Scott Kolwitz, Senior Planner

Re: The Draft Environmental Impact Report (DEIR) for the Westar Mixed-Use Project;
SCH # 201007106

Dear Mr. Kolwitz:

Southern California Edison (SCE) appreciates the opportunity to review and provide comment on the DEIR for the Westar Mixed-Use Project. The project is described in the DEIR as a proposal to demolish the existing development on site and to construct 274 multi-family residential apartment units and 90,054 square feet of commercial space (including a community shopping center and five additional residential live/work condominium units) on an approximately 24-acre site. The subject property is located at 7000 Hollister Avenue in the city of Goleta.

SCE Company right-of-ways and fee-owned properties are purchased for the exclusive use of SCE to operate and maintain its present and future facilities. Any proposed use will be reviewed on a case-by-case basis by SCE’s Operating Department. Approvals or denials will be in writing based upon review of the maps provided and compatibility with SCE right-of-way constraints and rights. In the event the project impacts SCE facilities or its land related rights, please forward six (6) sets of plans depicting SCE’s facilities and associated land rights to the following location:

Real Properties Department
Southern California Edison Company
2131 Walnut Grove Avenue
G.O.3 – Second Floor
Rosemead, CA 91770

Please be advised if development plans result in the need to build new or relocate existing SCE electrical facilities that operate at or above 50 kV, the SCE construction may have environmental consequences subject to CEQA review as required by the California Public Utilities Commission (CPUC). If those environmental consequences are identified and addressed by the local agency in the CEQA process for the larger project, SCE may
not be required to pursue a later, separate, mandatory CEQA review through the CPUC’s General Order 131-D (GO 131-D) process. If the SCE facilities are not adequately addressed in the CEQA review for the larger project and the new facilities could result in significant environmental impacts, the required additional CEQA review at the CPUC could delay approval of the SCE power line portion of the project for two years or longer.

Section 4.7 of the DEIR contains a discussion of power-frequency electric and magnetic fields (EMF) and concludes in Impact HAZ-4 that "Although there is no significant scientifically verifiable relationship between EMF exposure and negative health consequences, there would be exposure to 2 mG of EMF within several of the proposed structures. Therefore, impacts are considered potentially significant." SCE believes that this discussion of EMF in Section 4.7 requires revision to reflect accurately the current state of science and regulatory policy related to EMF.

Health effects from EMF exposures have not been established. The Lead Agency has already recognized this fact by incorporating the following language into the DEIR, which is found on pages 4.7-15 and 4.7-16, respectively: “The CPUC did not adopt any specific numerical limits or regulation on EMF levels related to electric power facilities”, and “A standard threshold for exposure to EMF has not been adopted as part of the CEQA Guidelines, and there are no established Federal or State health and safety standards for EMF.” Based on these statements, the discussion of EMF related health impacts should be removed from the EIR, and it should be made clear that the EMF section is presented for informational purposes only. The following paragraph could be added to the EIR to address this point:

"This section does not consider magnetic field exposures in the context of CEQA or to assess impacts from EMF. This is because there is a clear scientific consensus regarding health risks associated with EMF exposure that they have not been established. In addition, there are no Federal or California standards limiting human exposure to EMF from transmission lines or substation facilities. Therefore, there are no defined or adopted CEQA standards for defining health risk from EMF. As a result, EMF information is presented for the benefit of the public and decision-makers."

Policies related to the potential health effects from EMF exposures have been studied extensively by the CPUC and other state agencies. Additionally, the CPUC has developed an integrated action plan in response to concerns about the potential health impacts of power frequency EMF from electric utility facilities. This plan was established by the Commission in Decision No. 93-11-013 ("the decision"). While the decision acknowledged that scientific research has not demonstrated that exposure to EMF causes health hazards and, therefore, it was inappropriate to set numeric standards, it did adopt a policy requiring investor-owned electric utilities operating within the state to incorporate
November 21, 2011
Mr. Kolwitz
Page 3 of 3

various "no-cost" and "low-cost" measures into the construction of new or updated power lines and substations to reduce EMF exposure. It also required each utility to develop and publish guidelines to implement this policy. The EIR for this project may benefit from incorporating the precautionary EMF policies developed by the CPUC in the 1993 decision (and later reaffirmed by the CPUC in 2006). If you have any questions regarding our suggestions or wish to discuss this further, please do not hesitate to contact the SCE EMF & Energy Group at 1-800-200-4723.

Once again, thank you for the opportunity to comment on the DEIR for this project. If you have any questions regarding this letter, please do not hesitate to contact me at (805) 683-5237.

Sincerely,

Patricia Bartoli-Wible
Local Public Affairs Region Manager
Southern California Edison Company
STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit

November 22, 2011

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

Subject: Westar Mixed-Use; 11-EIR-001; 08-143-GPA-RZ-OA-TM (32,048)-DP-DRB, 10-040-CUP, 10-041-CUP, 10-097
SCH#: 2010071060

Dear Scott Kolwitz:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on November 21, 2011, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Scott Morgan
Director, State Clearinghouse
SCH# 2010071060
Project Title Westar Mixed-Use; 11-EIR-001; 08-143-GPA-RZ-OA-TM (32,048)-DP-DRB, 10-040-CUP,
Lead Agency 10-041-CUP, 10-097
Goleta, City of

Type EIR Draft EIR

Description 90,054 square feet of commercial development and 274 residential rental units, 5 live/work units, and
demolition of the existing 9,546 sf of development consisting of a television studio and drive-thru ATM
facilities. Project grading would consist of 49,100-cubic yards of cut and 48,800-cubic yards of fill (net
export of 300-cubic yards of cut) from the project site.

Lead Agency Contact
Name Scott Kolwitz
Agency City of Goleta
Phone (805) 961-7545
Fax
email skolwitz@cityofgoleta.org
Address 130 Cremona Drive, Suite B
City Goleta
State CA Zip 93117

Project Location
County Santa Barbara
City Goleta
Region
Lat / Long
Cross Streets Hollister Avenue/Glen Annie Road
Parcel No. 073-030-020, -021
Township Range Section Base

Proximity to:
Highways US Hwy 101
Airports Santa Barbara
Railways Union Pacific Railroad
Waterways Glen Annie Creek
Schools Dos Pueblos HS
Land Use R-MD 22.32 acres
I-01 1.23 acres
Z: MHS/AHO DR-12.3 22.32 acres; M-RP 1.23 acres

Project Issues Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Geologic/Sismic;
Noise; Recreation/Parks; Schools/Universities; Sewer Capacity; Soil Erosion/Compaction/Grading;
Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply;
Wetland/Riparian; Landuse; Cumulative Effects; Public Services; Aesthetic/Visual

Reviewing Agencies Resources Agency; Department of Fish and Game, Region 5; Office of Historic Preservation;
Department of Parks and Recreation; Department of Water Resources; Office of Emergency
Management Agency, California; Resources, Recycling and Recovery; Caltrans, Division of
Aeronautics; California Highway Patrol; Caltrans, District 5; Regional Water Quality Control Board,
Region 3; Department of Toxic Substances Control; Native American Heritage Commission; Public
Utilities Commission; State Lands Commission

Date Received 10/07/2011 Start of Review 10/07/2011 End of Review 11/21/2011

Note: Blanks in data fields result from insufficient information provided by lead agency.
My name is Leslie Lund and unfortunately I will be out of town on this hearing date. I reside at 118 S. Glen Annie Rd., and have spoken at previous planning meetings in regards to the effect the WESTAR project will have on South Glen Annie Rd.

Speaking to the design element and enviormental issues my comments are as follows:

1 – I do not understand how 120 cars at minimum from our neighborhood, 150 from the Storke Research facility on the corner and the 300 plus cars from this new development will drive safely between normal standard driving hours to and from work. This project will force Pacific Glen homeowners to drive through the WESTAR residential neighborhood, joining the apartment renters who are in route to and from work or school.

2- I am concerned about the extent of traffic backing up on Hollister going north, waiting for the light to turn green. I foresee “after work or school” traffic on Storke Rd, turning right onto Hollister backing up and impeding the traffic flow from the freeway overpass during the evening hours when folks are attempting to go to Costco or drive home to Ellwood Shores and surrounding areas.

3- I am against the proposed perpendicular parking in a residential neighborhood. (Referring to the proposed parking spaces on the city street of South Glen Annie Rd) Should these perpendicular parking spaces be approved, I envision So.Glen Annie Rd turning into a “short cut speedway”. Renters who want get to their apartments, not willing to wait for a green light, will turn onto So. Glen Annie Rd taking the southern entrance into the WESTAR housing complex along with all Pacific Glen homeowners who take this same drive home daily. I am afraid that while one side of the street parks parallel, the other side of Glen Annie Rd would see vehicles backing into this busy street corridor while folks are whizzing by attempting to get home. (Heaven help us if it’s an oversized vehicle or a delivery truck)

4- Finally, and I’ve have said this before, I believe the size and scope of this project is just too big. I would like to see the project reduced by 25% at minimum. I also feel it’s important to keep a “visual” residential street corridor open, along with the previously proposed additional green belt/pocket park on Glen Annie Rd.
Thank you for your consideration in this matter.

Sincerely,
Planning and Environmental Services  
130 Cremona Drive, Suite B  
Goleta, CA 93117  

November 4, 2011  

I am writing this letter against the proposed Westar Mixed-Use Project on 7000 Hollister Avenue. Thank you for consideration of our concerns.

1. Biological. The proposed land is currently an empty field. However, it is inhabited by many species of wildlife. What are the plans to remove/relocate the field mice, rabbits, ground squirrels, opossum, skunks and gophers that currently make their home there? I am concerned they will look for new homes in our gardens and find ways into our homes. I had a problem with mice in the past, finding their way into our attic and chewing through ducts, a big, costly mess.

2. Traffic. This is one of my main concerns. The area on Hollister between Storke and the Marketplace signal is already highly congested. With the many shops at the Marketplace and the traffic it generates, combined with the Girsh Park traffic with the many sports events, this area is busy. I cannot imagine the impact thousands of new residents will have on this already congested area. I also am concerned with accessibility to and from my own house.

3. Parking. Our neighborhood already has limited parking due to fire lanes. We depend on Glen Annie Rd. for parking and for visitor parking. There is no consideration for our parking needs in this proposal. In addition, there surely will be more residents than parking spots in the proposed project. This project is insufficient regarding parking.

4. Noise/Safety. We enjoy a quiet, safe neighborhood. Undoubtedly, this new residential/commercial area will create a noisy atmosphere that we do not wish. The addition of thousands of new tenants and their visitors with all of their cars coming and going will have an adverse affect on our peace and quiet. In addition, more people equal higher crime probability.

In closing, I would like to add that the scale of this project is not suited to our neighborhood. I could understand a project of 60-80 residential units. But 279 units is just too many people to add to this already congested area and will definitely have an adverse affect on the quality of life for us. Thank you for your understanding and for hearing our concerns.

Luis and Gentry Zuzunaga  
150 La Calera Way  
Goleta, CA 93117
November 8, 2011

Mr. Scott Kolwitz  
Senior Planner  
City of Goleta  
130 Cremona Drive, Suite B  
Goleta, CA 93117

Re: Westar Mixed-Use Project; 7000 Hollister Avenue; & APN 073-030-020, -021  
Related Cases: 08-GPA-RZ-OA-TM-DP-DRB (TM 32,048); 10-097-OA (DA); 11-EIR-001

Dear Mr. Kolwitz:

This is a follow up to our letter dated August 23, 2010 regarding this project. A copy is  
attached for your convenience. As you are aware, Islay Investments (hereafter “Islay”) owns  
The Plaza located at 7127 Hollister Avenue, Goleta, CA 93117  
which is almost directly across the street from the proposed development described above  
(hereafter “Westar Development”).

Islay Investments continues to be concerned about the proposed egress from the planned development especially as it concerns turning East on Hollister. Islay continues to believe that this will be the main route chosen by both residents and shoppers at the proposed development and that any compromise to an easy Eastbound turn will directly and adversely affect Islay’s property. This is due to the fact that people, if impeded from turning directly East and proceeding toward Santa Barbara on Hollister Avenue, will turn right in a Westerly direction and use our shopping center as a turn-around for their actual route. This will cause both a traffic hazard to our center, its merchants and invitees, and will be unwanted and detrimental wear and tear to our parking lot. We ask that you keep this in mind as you explore and/or approve egress from the proposed center. As always, it is a pleasure working with you. Please feel free to call me if you have any questions.

Yours very truly,

Betty L. Jeppeson  
General Counsel/Broker/  
Commercial Property Manager

Encl.
Cc: Antonio R. Romasanta, General Partner
August 23, 2010

Mr. Scott Kolwitz  
Senior Planner  
City of Goleta  
130 Cremona Drive, Suite B  
Goleta, CA 93117

Re: Westar Mixed-Use Project; Case No. 08-143-GPA-RZ-OA-TM-DP-DRB (TM 32,048);  
10-040-CUP; 10-041-CUP; 10-097-OA; 7000 Hollister Avenue; APN 073-030-020, -021

Dear Mr. Kolwitz:

Islay Investments (hereafter “Islay”) owns the shopping center known as The Plaza located at  
7127 Hollister Avenue, Goleta, CA 93117 which is almost directly across the street from the  
proposed development described above (hereafter “Westar Development”).

As presented at the public hearing at 4:30 p.m. on August 12 (preparation and scope meeting of  
the draft environmental impact report), Islay has a concern regarding the proposed exit plans  
for the Westar Development. Currently, Westar proposes to have three exits onto Hollister  
Avenue with only one of those exits permitting an Eastbound turn. The others are to be  
restricted to Westbound. West of the Westar Development, there exists very little and it is  
Islay’s belief that the vast majority of the traffic will want to turn left (Eastbound) and that the  
current plan will drive the majority of the vehicles toward and into our shopping center for u-  
turns and/or turnaround.

In fact, one of the people present at the public hearing spoke to me afterwards and told me that  
if traffic is heavy that is exactly what she does now: drive into our center in order to turn  
around and go back toward Goleta. Imagine how this will be exacerbated by the proposed  
90,054 square feet of proposed development, 274 residential rental units consisting of 96 one-  
bedroom units, 126 two-bedroom units and 52 three-bedroom units as well as 5 live/work units  
ranging between 520 to 867 square feet.

Assuming a density of two people per bedroom, the residential units will generate a potential  
of 1,008 residents in addition to those in the 5 live/work units and the customers, owners, and  
workers associated with the 90,054 square feet of commercial development.
Islay has just completed a parking lot repair and slurry coat of its parking area at great expense.
It is overburdening the area to have the amount of traffic anticipated turning around before, at
or in our center.

In addition to the burden on the landowners to the west of the development, the proposed exit
pattern appears to pose some serious traffic congestion and safety concerns due to the number
and direction of the vehicles that are anticipated.

At the hearing on August 12th, the Planning Department Director, Patricia Miller, requested
that public comment be limited to missed or underestimated possible impact, error in the
proposed analysis, and additional possible mitigation measures.

Islay believes that the traffic flow to be generated falls within the “missed or underestimated
possible impact” and “additional possible mitigation measures”. The traffic flow as described
above and its impact is either an area missed or underestimated and Islay would appreciate
Planning staff directing its attention to “additional possible mitigation measures” such as
potentially adding a traffic light to allow turning to the left from the center or other measures
that staff may devise in order that the businesses to the right of the center will not bear an
unreasonable burden from this development. Should you have any questions or wish
additional information about Islay’s concerns, please feel free to call the undersigned directly
and I will be happy to assist in any way. We thank you in advance for your time and attention
to this matter.

Yours very truly,

Betty L. Jeppesen
General Counsel for Islay Investments
(Owners of The Plaza Shopping Center
7127 Hollister Avenue, Goleta, CA 93117)

Cc: Antonio R. Romasanta, General Partner
City of Goleta            11-9-2011
130 Cremona Dr.
Suite B
Goleta, 93117

Subject. Initial Study/EIR Scoping for Westar Mixed-Use Project.
Case No. 081143GPA-RZ-OATM-DP-DRB (TM 32,048);

Attn: Scott Kolwitz, Senior Planner

The Subject EIR deals with remains of the 1887 Southern Pacific right of way on
the proposed project at 7000 Hollister Ave.
This small artifact from the past is all that remains of the first railroad in the
Goleta valley inside the City limits.
The EIR deals with the future value of the roadbed to the project in a professional
way and recommends removing the short section of the roadbed in the northeast
corner of the project. A marker and street names are proposed to commemorate
the old route of the railroad.
While the technical reviews support this view, the historical facts show the value
of this last vestige of railroad history in Goleta. I recommend that the City and
developer consider keeping the site as a park to be run either by the Railroad
Museum or the Goleta Historical Society. Barring this, a marker and historic walk
with a diorama of the past route and the comparison to the present route with the
history of the development may be a second choice. I prefer keeping the
original.
I have researched the whole right of way and sponsored the article by John
Flavin when I was the historian for the Goleta Valley Historical Society back in
1987.
As a further testimony, I am attaching an article on the railroad history that was
published in part last year in the News Press.
Thanks you for your consideration. If you would like further comment, please
contact me.
Justin M. Ruhge
525 Brookside Dr.
Lompoc, CA 93436
805-737-9536
jaruhge@hotmail.com
In the early 1800s, access to the Central coast of Ventura, Santa Barbara and Goleta was limited to ships docking at piers along the coast until the Southern Pacific Railroad Company decided to open up California to the world by means of rail and the iron horse.

Two routes were planned by this company – the Valley Route was from San Francisco to Los Angeles by way of the Central Valley and the second route was planned through the coastal cities. The coastal route was started in 1873 from San Francisco but stopped at Soledad until 1886 when it then reached as far as Paso Robles where it again stopped. The southern portion of the Coast Division followed the Story Survey route that began in 1886 at Newhall Junction and proceeded down the Santa Clara Valley along what is now Route 126 through Piru, Fillmore, Santa Paula and Ventura where it arrived on May 18, 1887. Continuing along the coast, the first train reached Santa Barbara on August 19, 1887. At Santa Barbara two stations were constructed – one at Montecito Street and another on Anapamu and Victoria Streets.

The railroad then headed toward Goleta from the Victoria Station following a route south of present day Hollister Road. The route took the path of least resistance since the right-of-ways were cut with Chinese laborers using hand tools and wheelbarrows and mules for hauling and steep grades were also difficult for the engines in use at that time.

The route crossed what is now La Cumbre Junior High School campus - Modoc Road and the La Entrada Tract. It passed right behind Hope House on what is Vieja Drive today, then along the Atascadero Creek to Shoreline Drive. At the intersection of this creek and what is now Patterson and the bridge at its south end, the route veered northwest at a 45 degree angle over a 12-foot high causeway and headed to a point about 1,000 feet south of the Pacifica Suites on Hollister today. At this point the first Goleta depot was constructed. Horace Sexton, who grew up in Sexton House at that time and next to the Pacifica Suites, described the station as “a slate-gray, one-story building with a freight loading platform and ramps for the wagons.” “Depot Lane” connected the station with Hollister.

From the station the tracks continued west past what is Ekwill Road, the south end of the old post office on Fairview Ave., down Daley Street and across the present airport property south of Hollister about 100 feet where it passed in front of the present day Elephant Bar and the Airport Administration Buildings. At La
Patera Road, south of present day Hollister Rd., a second station was constructed. Further west, at Robin Hill Road, was located a water tank and coaling station. Locomotive steam engines of 1887 needed to refuel and water about every 25-30 miles.

The route continued along Cook Place, past the present FAA tower to the present Aero Camino Rd. where the line turned north and moved up to the present line of the Union Pacific railroad. Then it continued along this route to the present Glen Annie Rd. where it crossed the road, and 100 feet to the west, the present 101 Freeway. It then continued along what is today Tuolumne Rd. A cut is still visible at the point where the route crossed the railroad and the 101 highway. The route circled above the present location of the Padre Shopping Center on Calle Real and then turned south and came to a halt, 14 miles from Santa Barbara, at a “wye” in the track and a turntable. The Ellwood Station was placed next to the turntable. An access road was created from Hollister, called Ellwood Station Road, which is still in use today.

This was the end of the track for 13 years and the southern end of the “Gap” from Paso Robles to Ellwood. The location of the turntable was right in the middle of the present 101 Highway right-of-way. It was excavated away when 101 was put through that location.

The first freight train out to Goleta was on December 5, 1887. Regular service to Goleta and Ellwood began on December 21st, with two trains a week, on Wednesday and Saturday. A minimum of two trains a week was sent to Goleta to maintain the Southern Pacific (SP) franchise in the Valley.

The kids in the Valley had weekly rides on the three-car trains pulled by a diamond-stacked, cowcatcher front and a Baldwin engine. They plied the engineer, fireman, conductor and brakeman with fruits and vegetables from local gardens to win the “the privilege of helping push the turntable to point the locomotives back toward Santa Barbara” at the Ellwood Station. Becoming a “hoghead” on a locomotive was the kids’ greatest ambition of the day.

The S. P. made its money by hauling produce from Goleta and bringing in farm machinery and construction materials. However its biggest “cash cow” was the shipping of Asphaltum. In 1890 the Alcatraz Asphaltum Company was founded in Ellwood. It mined asphalt from a huge bubble of the syrupy black goo located up to 600 feet under what is today the Faculty Club at UCSB. Digging into it was like spooning into a jar of molasses. When the Goleta mine was operating full blast, it turned out sixty tons of 90 per cent pure asphaltum every twenty-four hours. The eighty-pound hunks of solidified tar were loaded onto a fleet of five wagons drawn by four-horse teams, each wagon carrying four tons and making three round trips daily, seven days a week to the station at La Patera Lane. The asphalt was shipped to San Francisco and as far east as New Orleans to be used for road pavement and roofing. This business lasted until 1898.

All the records of this first railroad on the central coast were apparently lost in the 1906 earthquake and fire in San Francisco. What we have today is from a series of aerial photographs that were taken by the County in 1928, 1938 and 1943 that show the right-of-way of the first railroad before most of it was cleared away by housing tracts and road development. Using these sources from the
UCSB Map and Imagery Department, John Flavin traced the original route in his article entitled “The First Railroad Through Santa Barbara and Goleta Valley”, Goleta Valley Historical Society Historical Notes, 1984.

Today we see, as we travel along the 101 Highway, the Union Pacific Railroad close to the road in many places. This railroad succeeded the original 1887 railroad in 1899. The Hood Survey closed the “Gap” and relocated the S. P. tracks north of Hollister on arrow straight right-of-ways. The old depots were replaced in 1902 with one new, larger, two story building on Kellogg Road and a one-story station at Ellwood Rd. And new trains that could go faster and travel a 100 miles without refueling, replaced the leisurely old Baldwins!

The “Ellwood Special” and Crew Pose for this December 1893 Photograph on More Ranch at What is Now Shoreline Drive at Orchid Drive. This Train Served the Goleta Valley from 1887 Until 1901. From “Goleta the Good Land” by Walker A. Tompkins, 1966.
A Period Baldwin Steam Train on a Turntable Similar To That At “End of Track” in Ellwood. Shown Here at the Nevada State Railroad Museum in Carson City Nevada.
A Map Showing the Route of the First 1887 Railroad, Lower, and the 1899 Right-of-Way, Upper, Across the Goleta Valley. The Asphalt Mine is Shown in the Lower Left. The Turntable Location is Shown to the Left in this Drawing. From “Goleta the Good Land” by Walker A. Tompkins, 1966.
A Modern Map of the Goleta--Santa Barbara Coast Showing the Route of the First Railroad Relative to Present Landmarks.
By Justin M. Ruhge
A Typical Turntable in Front of an Engine Roundhouse. Photograph Courtesy of the San Luis Obispo County Historical Society.
1.2.2 Project Objectives

How does this meet the affordable housing deficit through the provision of rental housing vs affordable housing to own (like the affordable housing on Pacific Glen).

There are already plenty of small rental offices and stores in the immediate area.

New development would only add to the several empty buildings like towers across the way, the Knant, albutsons and Market place (Borders) which all have empty office stores.

1.2.3 Project development

The project is designed to promote pedestrian, ... etc. How would this introduce ownership. When I rented an apartment, I knew I did not own.

Every time the rent increases, when I'm told that I can't do this or that, I knew, when the rent money is gone and not into my house to + we'll get equity out of, and eventually pay off, I know.

Parcel B is currently zoned Mobile
2.22 Weight elevations.
In some areas the land in Westar is higher. With two to three stories the Westar will be significantly higher than existing neighborhoods. This would not give a cohesive look.

4.10 Noise
Residential exposure to noise on the Pacific Glen family homes would be significant due to the delivery truck, trash pickup, approx. 600 + apartment and commercial vehicles out of the Westar project.

4.13 Sespe Lane would connect to the Westar project through a private road through Westar, Pacific Glen. Residents would have to use this private road to be able to turn right onto Hollister. This would be a significant impact. What about equal protection for the existing neighborhoods? There would be congestion through this street.
to get to work/school in the morning. The Pacific Glen exit hand turn onto Hollister would be non existent. Significant Impact.

4.13 Intersection Operation

I challenge the accuracy of these findings.

4.13 Internal Circular cur would not adequately accommodate the traffic volumes that would be generated by the Westar Project. I feel that this section of the EA is subjective.

5.0 Population/Housing has not been given its due process due to the fact that more homes/owner ocup would be more beneficial than rental apartments to meet the housing deficit.

6.0 Alternatives to the Project:

all alternatives that are feasible was not fully explored, for instance Alternate not included in the DEIR. Reduced by 50%, & redesign commercial component. Bring the height of the buildings down.
to 1 & 2 stories to be compatible with the adjacent neighborhoods, that would allow all the background mountains to be viewed by all from all directions. Increased parking and open space. This would give equal protection to adjacent neighborhood.

AND reduce by 50% & redesign residential alternative with increased parking and open space, and 1 & 2 stories building only for mountain views.

Alternate:
Same as above but instead of apartments make affordable single & multi family homes to buy, then for sure the project would fit in.

Alternate:
Reduced by 50%, reduce height and redesign the commercial component with increased parking and open space

AND make a state of the art eco
friendly, self-sustaining park where the appointments section are for all to enjoy.

For all alternate mentioned above, do not close of Pacific Glen but turn onto Hollister to keep more ways out in case of fire, earthquake, etc.

I feel that DEIR statistic are subjective and that they are greatly underestimated.
November 21, 2011

Mr. Scott Kolwitz
Senior Planner
City of Goleta
130 Cremona Drive, Suite B
Goleta, CA 93117

Re: Westar Mixed-Use Project; 7000 Hollister Avenue; & APN 073-030-020, -021
Related Cases: 08-GPA-RZ-OA-TM-DP-DRB (TM 32,048); 10-097-OA (DA); 11-EIR-001

Dear Mr. Kolwitz:

This is a follow up to our letter dated November 8, 2011 regarding this project. A copy is attached for your ease of reference. As you are aware, Islay Investments (hereafter “Islay”) owns the shopping center known as The Plaza located at 7127 Hollister Avenue, Goleta, CA 93117 which is almost directly across the street from the proposed development described above (hereafter “Westar Development”).

The EIR for the above project, specifically section 3.13 TRANSPORTATION AND CIRCULATION, subsection 3.13.3.4 finds that “...17 locations are projected to exceed the City standard of LOS C, and experience significant impacts as compared to existing conditions, according to criteria defined in Table 3.13-5.” Included in those 17 locations are “Hollister Avenue/Pacific Oaks Road-LOS D projected under the 2030 Buildout, which exceeds the existing LOS A” and “Hollister Avenue/Storke Road-LOS E projected under the 2030 Buildout, which exceeds the existing LOS C.” These are the two intersections either directly abutting our shopping center in the case of Pacific Oaks and Hollister or the intersection immediately preceding the entrance to our shopping center in the case of Hollister and Storke. Degrading our intersection Pacific Oaks and Hollister from an A to a D in level of service is an unacceptable, requested accommodation from this developer. Further, the intersection on the east side of our center, Santa Felicia and Hollister, is not addressed anywhere in this EIR and should be studied before any decisions can be made.

Table 3.13-12 proposes the addition of a NB left turn lane on Hollister and Pacific Oaks Roads. This directly correlates with our concern of increased pass-through traffic that would merely be detrimental to the operation of our shopping center and its businesses rather than enhancing any revenue base.
Section 3.13.3.5 **Impacts and Mitigation** defines Class I Impacts as those for which “no feasible mitigation is available and the impact is considered significant and unavoidable.” The EIR at page 3.13-30 specifies that: “However, the planned improvements to improve intersection operations at Storke/Hollister under Plan buildout would not improve operations to the level defined in the City’s CEQA significance thresholds (summarized in Table 3.13.5). Therefore, this is considered a significant and unavoidable (Class I) transportation impact.”

The other intersection of significance to our shopping center is the intersection of Hollister and Pacific Oaks Roads which is directly to the west of our center and abuts the center. The EIR at page 3.13-30 defines Class II Impacts as “significant adverse impacts that cannot be feasibly mitigated or avoided. For transportation and circulation, significant impacts are defined at locations where (1) the adopted LOS standard cannot be met, and/or (2) the significance thresholds summarized in Table 3/13-5 are exceeded. To be classified as a Class II impact, feasible transportation improvements or transportation policies must be available that when implemented would reduce the impact to less-than-significant levels.” Our intersection is listed as follows: “Hollister Avenue/Pacific Oaks Road-LOS D projected under the 2030 Buildout (GP-10), which exceeds the existing LOS A. Improvements to LOS C is expected with implementation of recommended transportation improvements (GP-7), with a V/C increase of 0.19 over existing, which is under the significance threshold defined in Table 3.13-5.”

The EIR does not appear to address the flow of traffic that would be generated by the proposed development onto Hollister westward with the only purpose being to turn around to travel east toward Old Town Goleta and Santa Barbara.

Islay Investments continues to be concerned about the proposed egress from the planned development especially as it concerns turning East on Hollister. This will be the main route chosen by both residents and shoppers at the proposed development and that any compromise to an easy eastbound turn will directly and adversely affect Islay’s property. This is due to the fact that people, if impeded from turning directly east and proceeding toward Santa Barbara on Hollister Avenue, will turn right in a Westerly direction and use our shopping center as a turn-around for their actual route. This will cause both a traffic hazard to our center, its merchants, licensees and invitees, and will be unwanted and detrimental wear and tear to our parking lot.

We request that further study be required of this specific problem for the EIR and that you require of the applicant proposals for either eliminating the problem or at the very least mitigating it by a change in the applicant’s exit plan from the center or a turn-around that would not impact our shopping center. It is not acceptable that the level of service at Hollister and Pacific Oaks should be downgraded from an A to a D level. A study of the impact on the intersection of Hollister and Santa Felicia should also be required of the applicant before and further action is taken.

Please feel free to contact me if you have any questions. As always, it is a pleasure working with you.

Yours very truly,

[Signature]

Betty L. Jeppesen
General Counsel/Broker/
Commercial Property Manager

Encl.
Cc: Antonio R. Romasanta, General Partner
From: Cyril Humphris [cyrilhumphris7@gmail.com] on behalf of Cyril Humphris [ch@cyrilhumphris.com]
Sent: Monday, November 21, 2011 3:13 PM
To: Scott Kolwitz
Subject: DEIR for the proposed Westar development,

Dear Sir,

The eastern section of Phelps road which end in a cul de sac is an integral part of the Storke Ranch community. It is an area much used by children who live in the affordable housing on the north side of the road and is a bridge to the recreation area which has a swimming pool and gym that serves as a kind of community center and meeting place for members of Storke Ranch of all ages.

If this section of Phelps Road were to be opened to through traffic the very considerable damage caused to the Storke Ranch Community would be difficult to calculate. Not only the safety of young children would be at risk but the older folk living in the affordable housing and the rest of Storke Ranch would no longer be able to enjoy the present amenities with the same freedom. I am not qualified to assess the increased pollution that would entail from the opening of Phelps Road but it would obviously create a health risk for those living on both sides of the road and would also have a negative impact on the vegetation which contributes to the pleasant environment of Storke Ranch. If this plan goes ahead the residents of Storke Ranch will experience a serious deterioration in their way of life.

Rather than encouraging such a large scale destructive project as the opening of Phelps Road that will inevitably mean a thousand fold increase in the number of vehicles with all that this implies why not restrict the parking on the UCSB campus especially for students. The public transport system although good could be improved and students should be actively discouraged from bringing their cars to the UCSB campus.

I strongly urge you to abandon the project to open Phelps Road to through traffic and to seek a more environmentally friendly solution.

Cyril Humphris
6891 Meadowlace Court
Storke Ranch
Goleta, CA 93117
Tel: 805 845 7527
November 21, 2011

Mr. Scott Kolwitz  
Senior Planner  
Planning and Environmental Services  
City of Goleta  
130 Cremona Drive, Suite B  
Goleta, CA 93117

RE: Westar Mixed Use Project  
Draft Environmental Impact Report 11-EIR-001

Dear Mr. Kolwitz:

As the neighboring property owner to the east of the proposed Westar Mixed Use Project, we would like to comment on a very significant problem which will occur if left hand turns onto Hollister Avenue from southbound traffic on Glen Annie Road are not permitted. Traffic exiting from both 6900 and 6950 Hollister Avenue onto Hollister Avenue must travel all the way to Santa Felicia Drive before it is permitted to make a U-Turn and travel east on Hollister Avenue. The existing condition allows both properties to exit on Glen Annie Road and then turn left onto Hollister Avenue. Closing the intersection of Glen Anne Road and Hollister Avenue so that such turns would not be allowed in the future will have a significant adverse impact not only on 6900 and 6950 Hollister Avenue, but also on traffic from Pacific Glen homes.

We have had a traffic study prepared by Orosz Engineering Group which addresses a number of concerns about traffic, and it is submitted herewith for your consideration. We believe that the ideal solution is the installation of a traffic signal at Glen Annie Road and Hollister Avenue, and we would be prepared to share in the cost of such a signal.

For traffic exiting at Glen Annie Road and Hollister Avenue which may not wish to wait for a break in traffic or for a change in the proposed traffic signal, there are currently two left turn lanes westbound on Hollister Avenue at Marketplace Drive, and we see no reason why the left lane cannot be marked to allow U-Turns there, just as it is at Storke Road and Marketplace Drive.

There are also significant problems for traffic from 6900 and 6950 Hollister Avenue which exits onto Storke Road southbound, because U-Turns are not permitted for southbound Storke Road traffic at Hollister Avenue. Southbound Storke Road traffic which wishes to reach the 101 Freeway must continue south to Marketplace Drive to make a U-Turn or head east on Hollister all the way to Los Carneros Road and then to
the Los Carneros Road/Highway 101 interchange. Since there are currently two left turn lanes southbound on Storke Road at Hollister Avenue, we see no reason why the left lane cannot be allowed to make U-Turns to access Highway 101.

Thank you for your consideration.

Sincerely yours,

NASSAU LAND COMPANY, L.P.

By Michael Towbes Construction & Development, Inc., general partner

By MICHAEL TOWBES
President

/bjr

Enclosure

cc: Patty Miller
    Steve Chase
    Steve Wagner
Memorandum

To: Michael Towbes  
The Towbes Group

From: Stephen A. Orosz, PE  
Orosz Engineering Group, Inc.

Subject: Westar Mixed Use Village DEIR/Traffic Study Comments

Date: November 21, 2011

Orosz Engineering Group, Inc. (OEG) has reviewed the subject DEIR and appendices related to the Traffic Circulation and Parking Impacts. We have reviewed the document and have found several questions regarding the technical adequacy and consistency of the documents and alternative mitigation measures to provide more flexible roadway operation.

DEIR/Traffic Study Comments

The following comments have been delineated into general and project specific comments.

General Traffic Related Comments

1. Throughout the document the text refers to project related impact measures being implemented and credited to the GTIP fees. To qualify for fee credit, the project must have been part of the assumed projects when the GTIP fees were set. There is no mention that the project was envisioned to occur at this level of intensity. The documents should discuss this issue and update the environmental documents based on the results. If the project was included, then credits are applicable. If the project was not included in the assumed GTIP list of developments, then the fee credits are not applicable. The project would need to fund the improvements as project specific measures.

2. In the mitigation measure section of the DEIR, there is no discussion of the resultant intersection level of service and volume to capacity ratios. The “after” intersection operation must be provided in the discussion of the mitigation measure for the decision maker to verify that the measure does mitigate the project impact.

Project Specific Comments

1. The DEIR assumes that the intersection of Glen Annie Road and Hollister Avenue needs to be limited to left turns onto Glen Annie due to GTIP improvements. The need to close the left turns out of Glen Annie Road onto Hollister Avenue was documented in the DEIR as being based on insufficient gaps in Hollister Avenue traffic. There was no mention of a gap study and the results...
that support closing the southbound left turn from Glen Annie Road to Hollister Avenue. This analysis should be provided to support the project proposed measure.

2. The DEIR notes that the "no-U-turn" for westbound Hollister Avenue left turns at Marketplace Drive needs to be maintained, while the Traffic Study in the Appendix notes that it would be permitted. Which is correct? Is the overlap needed to maintain an acceptable intersection level of service? These issues are not consistently addressed in the document.

3. The project assumes that STOP signs are placed on Sespe at Glen Annie to control traffic. What is the rationale for this? Were the traffic volumes considered on all approaches? Is an all-way stop warranted at this intersection? The rationale for the traffic controls proposed for this intersection should be explained in more detail.

4. The internal intersection operation and alignment that LLG commented on and the DEIR identified is a bad operational design. The mitigation to add an all-way stop is not an adequate solution. Does the intersection meet the all-way stop warrants? Adding Stop signs to fix a bad intersection alignment and design is not reasonable.

5. The diverted traffic for the project identified as being 133 PM peak hour trips is not represented in the PM peak hour project traffic distribution. The total on the exhibit appears to be 24 trips. This will affect the intersection operation and possible future mitigation measures.

6. The pass-by trips at the Marketplace Drive intersection with Hollister Avenue and the redirected southbound left turns from Glen Annie Road do not seem to be correctly accounted for on the project traffic exhibit. The pass-by trips total 42 trips not the 66 identified in the Trip Generation Table. This will affect the intersection operation and possible future mitigation measures.

7. The DEIR relies on improvements to the Caltrans facilities at Storke Road at the SB 101 Ramp Intersection. To ensure that the mitigation measure is feasible, Caltrans should comment on the improvement at this point. Should the proposed measure be determined to not be feasible by Caltrans, then the project impacts are not mitigated.

Project Mitigation Measure Alternatives

1. Need for U-Turns Westbound left turn lane on Hollister Avenue at Marketplace Drive - The u-turn option for westbound traffic is important to provide if the left turn movement at Glen Annie Road is removed. The u-turn provides an option for those motorists that do not want to travel through the proposed development to complete their desired movement toward Storke Road.

2. Operational Feasibility for westbound U-turns on Hollister Avenue at Marketplace Drive - At the Marketplace Drive intersection with Hollister Avenue, the westbound u-turn from the number one left turn lane should be permitted. Due to the proposed intersection striping for the southbound (project) side of the intersection (left turn lane plus a combination left-through-right turn lane), the intersection operation will require a split phase arrangement for the north-south movements. The split phase operation means that the northbound movement would obtain a green signal with the southbound movement holding red and vice versa. With this required signal operation, the northbound lanes could be striped similarly with a combination left-through-right turn lane in the number one lane and a right turn only lane in the number two lane. With the existing traffic volumes, (72 left turn, 14 through, 434 right turn), the restriping would provide better lane utilization for the intersection. The resultant intersection level of service would be B/C with the project and cumulative traffic conditions.
3. Signalize Glen Annie Road at Hollister Avenue – An arterial analysis and signal coordination analysis was conducted to determine if it was technically feasible to install a traffic signal at the Glen Annie Road Hollister Avenue intersection. Using the Synchro traffic model, the currently proposed traffic conditions were modeled as well as the same traffic volume conditions with the project with a traffic signal installed at the Glen Annie Road Hollister Avenue intersection. There are several rationales for the installation of traffic signals: warrants, operational benefits and engineering judgment.

Traffic Signal Warrants - The installation of a traffic signal is governed by many factors including meeting minimum warrants (criteria) based on the California Manual of Uniform Traffic Control Devices (CA-MUTCD), and engineering judgment. A quick summary of the key traffic signal installation warrants follows:

- **Minimum Volumes** - Based on the traffic volume data available, the intersection does not meet the minimum number of vehicles to warrant signalization (on Glen Annie Road).
- **Crash History** – A total of 5 or more crashes would meet the warrants for signalization, but that data is not available right now. If there were a significant crash history, the City of Goleta would have a programmed improvement.
- **Progression System** - The warrant requires that progression can be maintained and not disrupted by the new traffic signal. The intersection is located approximately 630 feet from the nearest intersection to the east (Storke Road) and 540 feet from the nearest intersection to the west (Westar/El Camino Real Shopping Center). The spacing is not optimal, but can work as demonstrated by the existing traffic signal on Storke Road at the El Camino Real Shopping Center at 550 feet south of Hollister Avenue.

An analysis of the progression system that would exist with traffic signals at Storke Road, Glen Annie Road and the Marketplace Drive Intersections along Hollister Avenue was conducted. Several factors were evaluated to make an engineering judgment on the merits of installing the Glen Annie Road traffic signal. The factors include: Travel Time, Traffic Platooning, Traffic Volumes Coordinatability Factor, Arterial Level of Service, Intersection Delays, Vehicle Queue Lengths, and Performance Index.

**Travel Time** – The travel time along the corridor with the Glen Annie Road signal was compared to the travel time along the corridor without the signal and found that the installation of the traffic signal did not change the time for vehicles to travel from Storke Road to Marketplace Drive. The installation of the traffic signal did not impact the travel time along the corridor.

**Traffic Storage** – A calculation of the potential vehicle storage on Hollister Avenue associated with an uncoordinated traffic signal at Glen Annie Road was made. The results of the calculation found that the potential storage exceeded 80% of the available space and that with coordination of the traffic signal, the system would operate very well. The installation of the traffic signal would cause the need to coordinate the three traffic signals to not impact vehicle storage along the corridor.

**Platooning** – An evaluation of the platooning or grouping of vehicles along the corridor with and without the traffic signal at Glen Annie Road was conducted using the Synchro Model. The
analysis indicated that the traffic is moderately platooned with or without the new traffic signal. The installation of the traffic signal did not impact the travel time along the corridor.

*Overall Traffic Volumes* — Due to the high traffic volumes, more than 2,700-2,800 vehicles per hour along the corridor the traffic signals between Storke Road and Marketplace Drive with or without the Glen Annie Road signal should operate as a coordinated system. The installation of the traffic signal would not alter this conclusion.

*Coordinatability Factor* — This factor is a combination of various traffic operational factors and indicates whether or not the system could benefit from being coordinated or not. The factors that are included in this calculation include: travel time along the corridor, traffic storage space, platooning, and overall volumes. Based on this calculation, the coordinatability factor changes from 94 to 117 with the installation of the Glen Annie Road traffic signal. The lower the factor is, the easier the coordination of the signal system is. The minimum factor for consideration of signal coordination is 50. The 117 factor indicates that a traffic signal installation at Glen Annie Road would need to be coordinated with the adjacent traffic signals.

*Arterial Level of Service* — The addition of the Glen Annie Road traffic signal does not significantly change the arterial level of service along the corridor. The overall travel speed along the corridor (which relates to the level of service) is reduced by 0.5 MPH with the installation of the Glen Annie Road traffic signal. This is not significant in the actual operations on the street being experienced by the average motorist.

*Intersection Delays* — A comparison of the intersection delays with and without the Glen Annie Road traffic signal was made. The ICU values would remain the same as described in the DEIR, although the more detailed average vehicle delay calculations show improvements with the installation of the traffic signal at Glen Annie Road. The overall intersection delay at the Storke Road intersection are by 0.7 seconds per vehicle, while the operation of the Marketplace Drive intersection are reduced by 2.5 seconds per vehicle. These overall improvements in delay are caused by the metering effects of the Glen Annie Road signal to both adjacent intersections, essentially evening out the vehicle flows along the corridor.

*Vehicle Queue Lengths* — The queue lengths (back up of vehicles) at each intersection were compared to the existing conditions and proposed conditions with the traffic signal at Glen Annie Road. The queue lengths on the average for the eastbound movements at both Storke Road and at Marketplace Drive increased by 2-15 feet per movement with the addition of the Glen Annie Road signal. The change in queue length of this range did not result in any queues exceeding the available space.

*Performance Index* — The performance index is a combination of various operational factors that indicate how a corridor would operate with a coordinated system. The factors include vehicle speed, delays and total travel time. Based on these calculations with the Glen Annie Road traffic signal, the corridor performance index changes from 91.2 to 99.9. This indicates that with the Glen Annie Road traffic signal the overall performance of the signal system would be improved slightly.
In summary, the traffic signal warrant regarding a progression system would be met based on the aforementioned analysis. The installation of a coordinated traffic signal at Glen Annie Road would not significantly impact the operation of the corridor or individual intersections between Storke Road and Marketplace Drive.

In our engineering judgment, a traffic signal installation at the intersection of Glen Annie Road and Hollister Avenue could be considered.
November 21, 2011

Mr. Scott Kolwitz  
Senior Planner  
Planning and Environmental Services  
City of Goleta  
130 Cremona Drive, Suite B  
Goleta, CA 93117

RE: Westar Mixed Use Project  
Draft Environmental Impact Report 11-EIR-001

Dear Mr. Kolwitz:

We would like to comment on several of the Class I impacts in the Westar DEIR because we feel that they go far beyond any reasonable standard for such impacts.

AES 1-1 - This property has long been planned for development, and virtually any development on it would “substantially degrade the existing visual character and quality from the public local scenic corridor”. It may be that some adjustments to the project would preserve additional views, but it isn’t reasonable to conclude that the project substantially degrades the existing visual character and quality from the public local scenic corridor and is significant and unavoidable. The fact that the project site is currently vacant played no role in the designation of Hollister Avenue as a scenic corridor, as asserted by the DEIR; at the same time as the Hollister Avenue designation occurred (i.e. adoption of the General Plan), the City also designated this property not for a continuing vacant character, but for substantial urban development.

AES 5-1 - The DEIR concludes that the project creates significant and unavoidable impacts on mountain views. The DEIR shows that such impacts are partial and occur only from one vantage point. An intermittent impact of this nature does not constitute a significant impact for the project as a whole where the project adopts strategies specified in the General Plan to minimize impacts, a fact recognized by the DEIR.

Thank you for your consideration.

Sincerely yours,

THE TOWBES GROUP, INC.

By MICHAEL TOWBES  
Chairman

cc: Patty Miller  
Steve Chase
November 21, 2011

TO: Scott Kolwitz
Senior Planner
Planning and Environmental Services
City of Goleta
130 Cremona Drive, Suite B
Goleta, CA 93117

Re: Westar Mixed Use Project DEIR

Dear Mr. Kolwitz:

Please accept the following comments on the Draft EIR. The Westar Mixed Use Project as proposed is too large and is not consistent with the current General Plan or Zoning for the area. The project should be scaled back significantly and additional mitigations implemented to reduce impacts to aesthetics, air quality, cultural resources, greenhouse gas emissions, hazardous materials, safety hazards from the airport, and excessive traffic.

Aesthetics:

The project should be scaled back to eliminate or lessen the significant impacts on the existing visual character and quality from the public Local Scenic Corridor and impacts on mountain views from Hollister Avenue.

Air Quality:

Traffic-related pollution is associated with respiratory illness in children. Studies show an elevated risk of asthma and reduced lung function in children exposed to pollution emitted from highway traffic including ultrafine particulates, black carbon, oxides of nitrogen, and carbon monoxide. Some studies also suggest an association between exposure to these pollutants and elevated cancer risk. For the protection of our most vulnerable residents, it is important to follow the ARB and Santa Barbara County APCD guidelines of not siting residences within 500 feet of freeways, including US 101. The number of average daily trips on US 101 was 65,800 in 2006, and could well exceed that value again. Disregarding the guidelines based on one year’s traffic data would prioritize development over human health.

Mitigation AQ 3-1 seems utterly inadequate considering that people in Santa Barbara typically have their windows open, and that children generally like to play outside. Therefore this mitigation does not reduce the impact to less than significant.
The City should not allow such a traffic inducing project, especially given the county’s non-attainment status for ozone. The commercial portion of the project should be removed since it will induce a lot of traffic and it is not consistent with the General Plan. The residential portion should be scaled back to fit with the current zoning, and the portion of the site closest to the freeway should not include residences. It should instead be utilized for electric bus parking and charging or some other non-sensitive use.

The significant air quality impacts from traffic generated by the project are not adequately mitigated. The applicant should help the city to implement a low-cost electric shuttle system for Goleta that would partially mitigate the air pollution, traffic, and greenhouse gas emission impacts and also decrease the transportation and traffic impacts. The applicant could provide a parking and charging area for these shuttles either in the northern portion of the site that is not suitable for residential development because of proximity to the freeway, or in the southern quarter of the site that is covered by a Flight Approach Overlay and is partially located within one mile of Santa Barbara Airport Runway 7/25.

**Mitigation Measure AQ 2-1.a.** — The word ‘patients’ should be replaced with ‘residents’ in the first sentence: “The applicant shall contact the Metropolitan Transit District (MTD) to identify appropriate Transportation Demand Management (TDM) programs that are available to serve both [residents] and employees.”

**Cultural Resources**

The project should be altered or scaled back to preserve the historical railroad cut on the site.

**Greenhouse Gas Emissions**

See Air Quality and Transportation and Traffic sections for ideas for improved mitigations for greenhouse gas emissions. This project should be scaled back and improved mitigations implemented to eliminate greenhouse gas emission impacts.

**Hazardous Materials**

The buildings with significant EMF exposure should be eliminated from the project.

**Transportation and Traffic**

Rather than mitigate traffic impacts by widening roads and adding lanes for single occupancy vehicles, the applicant should be required to improve pedestrian, bicycle, and public transportation infrastructure. In addition to reducing traffic impacts, such mitigations would also have a greater impact on reducing greenhouse gas emissions and air pollution.
The Cumulative Impacts analysis for the traffic model assumed the extension of Phelps Road from Storke Road to Los Carneros. There is a legal agreement between the Storke Ranch community and UCSB that restricts access between Phelps Road and Mesa Road to emergency fire access only. The Storke Ranch community expects the City to respect this legal agreement and strongly opposes the extension of Phelps Rd. For these reasons, the City should remove the Phelps Road extension from the General Plan and should certainly not assume the extension when conducting cumulative impacts analyses for other development projects. Assuming the extension of Phelps Road when conducting cumulative impacts analyses leads to unrealistic results.

Traffic mitigations do not address the fact that wider roads make walking and biking less desirable and more dangerous and could therefore result in additional vehicle trips. Rather than widening roads and adding lanes to mitigate traffic impacts, the applicant should be required to contribute toward implementation of alternative transportation systems that will decrease the number of vehicle trips. For example, the applicant could contribute toward the creation of a low cost electric shuttle system for Goleta, including providing the above mentioned parking and charging area. If road widening and/or adding lanes are still necessary, design elements need to be implemented to increase pedestrian and bicycle desirability and safety, including creating dedicated bike lanes and separating bicyclists and pedestrians from vehicle traffic with vegetated barriers.

The widening of Storke Road to four lanes south of Whittier would adversely affect wetlands along Storke Road. Preferred alternative transportation mitigations, such as mentioned above, should be implemented instead. However, if Storke is widened, it should be done in a way that enhances rather than degrades the wetlands south of Whittier, both east and west of Storke Road. In order to do this, the road would need to be raised to allow restored hydrological connection between wetlands east and west of Storke Road which were historically connected to the Devereux Slough.

**Hydrology and Water Quality**

It is proposed that a water detention basin will be used to keep post-development peak flows below pre-development peak flows. Water held in detention ponds tends to degrade water quality because of bacteria growth. It is not clear whether water from this basin will be released and if so, how the timing and water quality would be handled and monitored to ensure that it doesn’t impact wildlife in the significant habitat downstream. If the water in the detention basin will be held until it percolates into the soil or evaporates, that should be specified.

Thank you for your consideration.

Sincerely,

K. Kelly Hildner, Ph.D.
November 21, 2011

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

Attention: Scott Kolwitz, Senior Planner

SUBJECT: The Westar Mixed-Use Project Draft Environmental Impact Report
Case No. 08-143-GPA-RZ-OA-TM-DP-DRB (TM 32,048)
11-EIR-001

To Mr. Scott Kolwitz, Senior Planner:

Thank you for the opportunity to comment on the above referenced Draft Environmental Impact Report (DEIR). On behalf of Westar Associates, the owners of the subject Property, we offer the following comments on the DEIR:

DEIR Page 1-5. **1.2.4 Requested Approvals.** Please add “Modifications as Required” to Requested Approvals.

DEIR Page 1-6. **1.4 Areas Of Controversy And Issues To Be Resolved.** It is stated that “There is a difference of professional opinion, between the project archaeologist and the archaeologist that conducted a third party review as part of the EIR sub-consultant team, as to the historical significance of the railroad cut on the project site. Issues to be resolved involve the selection of a preferred alternative by the City.” However, per CEQA Section 15151 (Standards for Adequacy of an EIR) “Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure.” The Draft EIR does not summarize the main points of disagreement among the experts; it only discusses the EIR’s “expert’s” opinion, and not the opinion of the expert provided by the applicant. Rather, the applicant’s

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1 These comments are generally raised in the same order in which they appear in the DEIR, and references to page numbers and section headings refer to the DEIR.
expert's opinion is relegated to the Appendix of the EIR. Please provide BOTH opinion's in the body of the Final EIR and summarize the main points of disagreement among the experts. Additionally, we have provided additional expert opinion by David Stone, M.A., RPA; please refer to our expert's comments on DEIR pages 4.4-1 through 4.4-20.

DEIR Page 1-7. Aesthetics - Visual Resources. Impact AES 1: It is stated that "The project would substantially degrade the existing visual character and quality from the public Local Scenic Corridor." It is concluded that this would result in a Class I impact.

We have reviewed 7 City of Goleta CEQA environmental documents relating to the "degradation of the existing visual character and quality from the public Local Scenic Corridor" (also sometimes referred to as "loss of open space"); including:

- South Fairview Commercial Center Mitigated Negative Declaration
- Camino Real Hotel Project Addendum
- Cabrillo Business Park EIR
- Citrus Village Mitigated Negative Declaration
- Rincon Palms Mitigated Negative Declaration
- Village at Los Carneros EIR
- Willow Springs II DEIR

Based on our review, ALL 7 of the City of Goleta's CEQA environmental documents referenced above, concluded that the "degradation of the existing visual character and quality from the public Local Scenic Corridor" (also sometimes referred to as "loss of open space") would NOT result in a Class I impact.

The Camino Real Hotel Project Addendum stated that the project would contribute incrementally to the loss of open space and would degrade, obstruct of interfere with the public's enjoyment of the Santa Ynez Mountains, but that it was considered an infill site and although the project would complete the reduction of open space and public views, its impact was considered Class II.

The Cabrillo Business Park EIR stated that although the project would substantially obstruct views of the onsite upland/wetland areas, and the Santa Ynez Mountains, the Project's impacts were considered Class II.
The Citrus Village Mitigated Negative Declaration stated that views of portions of the Santa Ynez Mountain ridgeline is visible directly north from the front of the project site along Calle Real. However, it concludes that because at a speed of 45 miles per hour, motorists would pass by the site in approximately 2.2 seconds in either easterly or westerly directions, the impact was not considered Class I.

The Rincon Palms Mitigated Negative Declaration stated that views of the Santa Ynez Mountains are available at various vantage points along Hollister Avenue, and that the proposed development would partially obstruct, but not eliminate background views of the mountains and the impact was not considered Class I.

The Village at Los Carneros EIR stated that the Project site consists of graded surfaces that are lacking in discernible relief or distinguishing natural vegetation. It does not contain either permanent or temporary made structures or landscaping possessive of positive aesthetic qualities. It concludes that proposed development of the project site would not result in significant impacts upon existing onsite visual resources; and as such, the impact was not considered Class I.

Similar to the Village at Los Carneros EIR, the Willow Springs II DEIR stated that the project site does not include significant visual resources. It consists largely of graded surfaces that are lacking in discernible relief and its natural vegetation is limited to coyote brush present in a lower-lying north central portion of the site. The project site does not contain either permanent or temporary manmade structures or landscaping possessive of significant positive aesthetic qualities. It concludes that proposed development of the project site would not result in significant impacts on existing onsite visual resources; and as such, the impact was not considered Class I.

The project site in the present case is characterized as a 23.558-acre, urban “in-fill” site, designated for urban uses. This characterization is very similar to the 7 above-referenced properties (Cabrillo Business Park, 92 acres; Village at Los Carneros, 16 acres; Willow Springs II, 6 acres). Like the Westar property, all had been vacant for a number of years; the community had certainly grown used to seeing them in their vacant state. Additionally, the Westar site’s view corridor issues are similar to the 7 above-referenced properties relating to the City’s General Plan Visual and Historic Resources Element (relating to Figure 6-1 - Public Lands with View Opportunities Scenic and Visual Resources). As with all the other referenced projects, the Santa Ynez mountains serve as a backdrop. The Westar project consists of graded surfaces lacking in discernible relief or distinguishing vegetation. It contains no permanent or temporary manmade structures or landscaping possessing positive aesthetic qualities.
City of Goleta  
November 21, 2011  
Page 4

For all these reasons, the Westar Project’s Aesthetic Impact evaluation must be treated in the same manner as have been for the above-referenced Projects.

Accordingly, based upon the City’s previous conclusions relating to this issue (“degradation of the existing visual character and quality from the public Local Scenic Corridor” - also sometimes referred to as “loss of open space”), we respectfully request that the **classification of this impact be changed to a Class II impact**, with mitigation measures similar to those required for the above-referenced projects (i.e., the design, scale and character of the project architecture, landscaping and signage shall be compatible with vicinity development, receipt of Preliminary and Final DRB approval, height and location of structural development shown on final plans shall be consistent with those shown on the approved project exhibit maps, etc.). These comments are also applicable to the text addressing Aesthetics in the DEIR.

DEIR Page 1-15. **Aesthetics - Visual Resources. Impact AES 5:** It is stated that “The project would alter views of the Santa Ynez Mountains from Hollister Avenue.” It is concluded that this would result in a **Class I** impact. Please refer to the above discussion relative to views of the Santa Ynez Mountains from Hollister Avenue. Additionally, views of the property were assessed at 24 separate vantage points (2A, 2B, 2C, 2D, 3A, 3B, 3C, 4A, 4B, 4C, 5A, 5B, 6, 7, 8, 9, 10A, 10B, 11A, 11B, 12A, 12B, 13A and 13B) and **ONLY 1** of those 24 vantage points was concluded to create a view blockage impact.

An agency’s CEQA analysis must be reasonable and based upon facts, rather than bare conclusions. It is unreasonable to conclude that 1 out of 24 vantage points can result in a Class I impact regarding alteration of views of the Santa Ynez Mountains from Hollister Avenue, especially since when taking the worst case simulated perspective photo #7B, there is only a 31.4% ridge line view blockage presented, due primarily to the fact that the area of blockage occurs where the ridge is at its lowest spot on the horizon. Additionally, when travelling 45 mph, one travels at 66 feet per second. Therefore assuming that 66 feet of the building is blocking the ridge line, then 45/66 means that 0.68 seconds of the drive view of the ridge line is blocked. Therefore, based upon the City’s previous conclusions relating to this issue (see discussion presented above), the relative insignificance of the impact (1 in 24 views AND loss of only a portion of the mountain view impact from a single perspective), and considering that the “Aesthetic Threshold” requires “**substantial** adverse effect on a scenic resource, and **substantial** damage to scenic resource, etc.” (emphasis added) before a significant impact can be found, we respectfully request that the classification of this impact be changed to a Class II impact, since the impact is not substantial (either from the standpoint of 1 in 24 views OR from the percentage of impact attributable to the worst
case perspective). An additional relevant factor is that, per Impact AES 11 (Hollister Transmission Line Relocation), "The project would relocate transmission lines to less visible locations" resulting in a Class IV (Beneficial) impact. This too would contribute to offsetting the aesthetic impacts associated with the altering of views of the Santa Ynez Mountains from Hollister Avenue. Standard City mitigation measures would reduce the one view perspective impact to acceptable levels. These comments are also applicable to the text of the Aesthetics section of the DEIR.

DEIR Page 1-17. Aesthetics - Visual Resources. Impact AES 11 (Hollister Transmission Line Relocation): It is stated that "The project would relocate transmission lines to less visible locations." It is concluded that this would result in a Class IV (Beneficial) impact. The Final EIR must consider how this Beneficial impact would assist in offsetting potential Santa Ynez Mountain view impacts from Hollister Avenue. These comments are also applicable to the text of the Aesthetics section of the DEIR.

DEIR Page 1-23. Air Quality. Mitigation Measure AQ 2-1c. It is stated that "Separate male and female shower facilities shall be provided onsite and be available for use during and after work hours for all employees." This mitigation measure is infeasible if applied to each and every commercial tenant space. The commercial portion of the project will include a number of small commercial spaces. Requiring separate male and female shower facilities for each commercial space would create an undue burden on and is infeasible for such tenants, which typically employ small numbers of employees. The City does not currently require that all commercial tenant improvements include such shower facilities for new development. Provision of a single shower facility to be used by all commercial establishments in the Center is not feasible because operation of such a facility would create substantial security problems for users. Accordingly, please remove this from the list of mitigation measures. These comments are also applicable to the text of the Air Quality section of the DEIR.

Page 1-23. Air Quality. Mitigation Measure AQ 2-1e. It is stated that "An employee lunchroom shall be provided and shall include the following amenities; refrigerator, microwave oven, sinks, food preparation tables, and tables/chairs." Similar to the analysis above, requiring each small commercial user to provide a standalone lunchroom is overburdensome and infeasible. There are many restaurants, as well as outdoor seating locations throughout the proposed development within walking distance where employees may eat their lunch. Additionally, the two large retail tenants would provide the above-referenced employee lunchroom amenities. Accordingly, please remove this mitigation measure from the list of mitigation measures. These comments are also applicable to the text of the Air Quality section of the DEIR.
DEIR Page 1-27. Environmentally Sensitive Habitat Areas (ESHA). Mitigation Measure BIO 2-1 (Monitoring): It is stated that “The bioswale mitigation project shall be monitored for a five-year period. Five years after implementation of the mitigation project, a final report shall be submitted to Planning and Environmental Services Department and relevant Regulatory Agencies, which shall at a minimum discuss the implementation, monitoring, and management of the mitigation project over the five-year period, and indicate whether the bioswale creation has been successful based on established success criteria.” The City’s standard monitoring period is on the order of 3 years, and there are no characteristics special to this project that require a longer period. Please modify the requirement to a three year duration. These comments are also applicable to Page 1-13 (Mitigation Measure AES 3-8) and the text of the Biology and Aesthetic sections of the DEIR.

DEIR Page 1-32. Cultural Resources (Historic Resources). Impact CR 1. It is stated that “The project would result in the removal of an 1887 railroad cut, a locally significant, and CRHR and NRHP eligible, historical resource.” It is concluded that this would result in a Class I impact. Please refer to our comments addressing DEIR pages 4.4-1 through 4.4-20. The SPRR feature is not a potentially significant resource under local, state, or federal criteria, as it does not maintain sufficient integrity or qualities associated with its relationship to the SPRR operated in the late 19th and early 20th centuries. Impacts on historic-period resources would be adverse, but less than significant. These comments are also applicable to the text of the Cultural Resources (Historic Resources) section of the DEIR.

DEIR Page 1-45. Greenhouse Gas Emissions. Impact GHG 1. It is stated that “The project would generate greenhouse gas emissions.” It is concluded that this would result in a Class I impact. For additional information regarding the DEIR’s analysis, please refer to our comments on Section 4.6, Greenhouse Gas Emissions. These comments are also applicable to the text of the Air Quality section of the DEIR.

DEIR Page 1-50. Exposure to Electromagnetic Fields. Impact HAZ 4. It is stated that “Implementation of the proposed project could place people within the electromagnetic field of existing and/or relocated overhead electrical transmission and distribution lines.” It is concluded that this would result in a Class I impact.

A recently completed EIR draws a completely different conclusion regarding EMF impacts for a proposed residential project located in the unincorporated Goleta area of the County of Santa Barbara in close proximity to 66kV lines (Transmission lines including 66-kV three-phase circuit conductors [three wires] at the very top of the poles in a delta configuration and below the uppermost 66-kV circuit are two 16-kV three-
phase distribution circuits, each in a vertical configuration [three conductors each, plus one ground line]).

The following are pertinent excerpts from the Cavaletto Tree Farm Housing Project Proposed Final Environmental Impact Report (SCH #2009121053) dated September 2011, County of Santa Barbara (also refer to the actual Cavaletto Tree Farm Housing Project Proposed Final Environmental Impact Report, excerpts, attached):

"Everyday exposures to 60-Hz magnetic fields include those caused by household appliances. Items like can openers, mixers, blenders, refrigerators, fluorescent lamps, electric ranges, clothes washers, toasters, portable heaters, vacuum cleaners, electric tools, and many other appliances generate magnetic fields of 40 – 300 mG at distances of one foot. Magnetic fields from personal care appliances held within six inches (e.g., shavers, hair dryers, massagers) can produce 600 – 700 mG. In the school and work environment; copy machines, vending machines, video-display terminals, electric tools, lights, and electric motors are all sources of magnetic fields. In one's car, electric motors, the alternator, and rotating steel-belted radial tires produce time-varying magnetic fields, and in hybrid-electric cars 60-Hz magnetic fields in the range of 10 to 50 mG can be present in the passenger cabin.

The County of Santa Barbara has not adopted any thresholds of significance with respect to the extremely low frequency EMF (ELF-EMF) associated with power lines (County of Santa Barbara, Planning and Development, 2008), although the County of Santa Barbara Environmental Thresholds and Guidelines Manual (2008) states there is a "need to address these potential health effects through disclosure of potential environmental impacts." Likewise, the State of California has no exposure guidelines for ELF-EMF, but supports a policy wherein no cost and low-cost measures to mitigate EMF levels are encouraged (California Public Utilities Commission, 2007). The U.S. has no federal standards limiting occupational or residential exposure to 60-Hz EMF. Table 4.8-2 shows guidelines suggested by national and world health organizations, while Table 4.8-3 lists guidelines that have been adopted by various states in the U.S. in relation to electric-power transmission-line rights of way (ROWs).

60-Hz EMF Guidelines established by Health and Safety Organizations, magnetic field allowance ranged from 833 mG to 10,000 mG.

State EMF standards and guidelines for transmission line rights of way (at edge of ROW) ranged from 85 mG to 250 mG.

Therefore, it was concluded that no actual adverse health effects have been demonstrated to occur at or near these 60-Hz EMF levels, and as such, impacts would
be considered significant if EMF levels at the project site would expose residences to mG in excess of 85 mG, which is the conservative threshold identified.

Due to the presence of 66-kv electrical transmission lines, development of the project would expose residences to magnetic field levels of up to 16.2 mG. This is well below existing occupational and international health and safety guidelines; therefore, impacts would be Class III, less than significant.”

The DEIR for the Westar project states that it draws its 2 mG threshold for EMF analysis from County of Santa Barbara standards. However, the County has now rejected that standard in favor of analysis which finds impacts 8 times greater than those created at the Westar project to be insignificant. No other substantial scientific basis for using the 2 mG threshold is provided in the current document. Because the on-site mG levels at the Westar Project site are not anticipated to exceed 2 mG as opposed to the 16.2 mG assessed in the above-referenced Cavaletto Tree Farm Housing Project), the Westar Project’s EMF impact must be reclassified as Class III, less than significant, in the Final EIR. These comments are also applicable to the text of the Electromagnetic Fields section of the DEIR.

DEIR Page 1-51 and 1-52. Development of New Uses in Proximity to a High Pressured Natural Gas Pipeline. Mitigation Measure HAZ 5-1. It is stated that:

- “The permittee shall ensure that the Southern California Gas Company natural gas pipeline and vault along the southern boundary are installed and maintained in accordance with the specifications of the CFR and CGC. An integrity assessment shall be conducted consisting of, but not limited to, the following:
  - Instrument surveys to providing a detailed assessment of the pipe and pipeline coating
  - Assessments performed at 10-foot intervals to ascertain if any protection deficiencies exist on the pipe.
  - Etc.”

This set of mitigation measures is inappropriate and unwarranted. The applicant has no ability to dictate to the Gas Company how it installs and maintains its pipelines. The standards for such installation and maintenance are the exclusive domain of regulation by the State Public Utilities Commission. For these reasons, the series of mitigation measures should be removed. These comments are also applicable to the text of the High Pressured Natural Gas Pipeline section of the DEIR.
DEIR Page 1-53. Risk of Upset Associated with the Site's Proximity to the Union Pacific Railroad: Impact HAZ-6. It is stated that "Implementation of the proposed project would place residential structures and persons in proximity to the existing UPRR railroad tracks, creating a potential risk of upset associated with derailment, chemical leaks, and fire. The probability of adverse impacts from a possible train derailment is similar to the fatality risk associated with natural phenomena such as lighting strikes meteor impacts." (emphasis added) In other words, the likelihood of upset is equivalent to that of a lightning or meteor strike. It would of course be possible to require every project approved by the City to employ mitigation measures against lightning or meteor strikes, but this would be patently unreasonable, and of course the City does not do this. The same analysis applies here; this impact analysis is "speculative" under CEQA, and Mitigations HAZ 6-1 and 6-2 must be removed for the same reason. These comments are also applicable to the text of the Risk of Upset section of the DEIR.

DEIR Page 1-62. Consistency with Santa Barbara Municipal Airport Land Use Plan. Impact LU 6. It is stated that "The project would result in a safety hazard for people residing or working in the project area." It is concluded that this would result in a Class I impact. However, the Airport Land Use Commission (ALUC) voted unanimously at their November 17, 2011 hearing to determine that the Westar Project is consistent with the Airport Land Use Plan (ALUP). In this regard, Impact LU 6 must be reclassified as Class III, less than significant, in the Final EIR and Mitigations LUC 6-1, 6-2, 6-3, and 6-4 must be removed or at a minimum reclassified as "recommended". These comments are also applicable to the text addressing Consistency with Santa Barbara Municipal Airport Land Use Plan in the DEIR.


DEIR Page 1-79. Traffic and Parking. (Cumulative Impacts on Roadway Segments) Mitigation Measure TR 6-2. It is stated that "The permittee shall provide for the widening of Storke Road south of Whittier Drive to provide two travel lanes in each direction, creating a four-lane roadway." Please refer to our comments below addressing DEIR pages 4.13-39 through 4.13-41.

DEIR Page 1-84. Wastewater Treatment. Mitigation Measure WS 1-5 It is stated that "All commercial and residential components of the project shall be designed and constructed to utilize reclaimed water for all blackwater components." We are not aware that such a condition has ever been applied by the City of Goleta. Putting such water in locations where it can be ingested from fixtures by human beings (i.e. children) or serve as a potential source of contamination raises health risks. There is
no evidence presented in the document to demonstrate that such mitigation is feasible or has been applied to a project of this size. In addition, requiring dual plumbing for all commercial and residential construction will significantly increase costs for the project without providing a clear benefit. Finally, this mitigation measure is not required in order to reduce an impact that would otherwise be significant to insignificance. For these reasons, this mitigation measure is infeasible. Please remove this from the list of mitigation measures. These comments are also applicable to the text of the Wastewater Treatment section of the DEIR.

DEIR Page 1-89. 1.5.3 Alternative 2: Redesign of Residential Component Alternative. It is stated that "This alternative would focus on the engineered cut with the goal of retaining the most defined portion of it (the northeast most) on-site as part of a park." It is also stated that "This would result in a reconfiguration and the elimination of 19 residential units, resulting in 260 units provided, and a reduction of 50 residents at the site, for a total of 676 residents." As discussed below, the design of this alternative is not appropriate, since removal of the "engineered cut" will not create a significant impact (please refer to our comments on DEIR pages 4.4-1 through 4.4-20.). There is no benefit here to outweigh the elimination of 19 workforce residential units. These comments are also applicable to the text of the Alternatives section of the DEIR.

DEIR Page 1-90. 1.5.4 Environmentally Superior Alternative. It is stated that "The environmentally superior alternative from among the other alternatives discussed in this EIR is the Redesign and Reduced Residential Density Alternative (Alternative 3)." Again, as indicated above, this alternative does not serve to reduce significant impacts, as removal of the "engineered cut" does not constitute a significant impact (please refer to our comments on DEIR pages 4.4-1 through 4.4-20.), and the elimination of 19 workforce residential units serves no environmental purpose. As such, this cannot be considered the Environmentally Superior Alternative. These comments are also applicable to the text of the Alternatives section of the DEIR.

DEIR Page 2-33. 2.5 Requested Approvals. Please add "Modifications as Required" to Requested Approvals.

DEIR Page 3.-1 Table 3-1 List of Related Projects. There are many project contained within this list that are no longer proposed or are listed twice, and as such should be removed (i.e., #4 Bacara (no longer proposed), #12 Village at Los Carneros and #23 Village at Los Carneros are counted twice, #14 Rincon Palms Hotel and #24 Rincon Palms Hotel are counted twice, etc.). All related "Cumulative Impact" evaluations must similarly be revised with the corrected cumulative list of projects.
DEIR Page 4.1-1 3rd full paragraph. It is stated that “Its most distinctive topographic feature is a crescent-shaped, man-created swale of varying depth and width that traverses a portion of the site proximate to the north property line and generally parallel to the Union Pacific Railroad (UPRR) right-of-way. This feature has been identified as a railroad cut, which once contained a railroad spur, and is considered historically significant.” Please refer to our comments below addressing DEIR pages 4.4-1 through 4.4-20 regarding the fact that this feature has no environmental significance.

DEIR Page 4.1-8. 4.1. Thresholds of Significance. It is stated that: “…the project would result in a potentially significant visual impact if it would:

a) Have a substantial adverse effect on a scenic vista;

b) Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway;

c) Substantially degrade the existing visual character or quality of the site and its surroundings;”

As indicated above in our comments addressing DEIR page 1-15, the alleged impacts described in this section of the DEIR cannot be concluded to be “substantial” and as such, the impact must be re-classified.

DEIR Page 4.1-11. 4.1. Visual Resources – Impact AES 1 (2nd full paragraph): It is stated that: “…the expansive open visual character would be substantially degraded relative to the existing setting.” The EIR should state that this site has been designated for urban development for decades, and that any expansive open visual character has served as a “placeholder” for future urban development for that period of time.

DEIR Page 4.1-11. 4.1. Visual Resources – Impact AES 1 (2nd full paragraph): It is stated that: “From certain vantage points along the Hollister Avenue Local Scenic Corridor, these buildings could block the upwards of 97% of the short-range views into the project site.” There is absolutely no factual support provided in the document for such an assertion. The project applicant has worked closely with the City’s Design Review Board to insure that view corridors are provided through the commercial center into the site. The DRB has declared that they are satisfied that appropriate view corridors have been provided, and on a preliminary basis has found the design to meet all City policies. Environmental analysis must reflect this determination. According to our calculations, and utilizing the simulated perspective photo #7B (the single view of 24 that show ridgeline blockage), there is a 31.4% ridge line view blockage attributable largely to the fact that the ridge is at its lowest spot on the horizon for a portion of the view; however, the remainder of the ridgeline is clearly visible. Additionally, it should
be noted that when travelling 45 mph, one travels at 66 feet per second. Therefore assuming that 66 feet of the building is blocking the ridge line, then 45/66' means that 0.68 seconds of the drive view of the ridge line is blocked.

DEIR Page 4.1-12. 4.1. Visual Resources – Impact AES 1 (2nd full paragraph): It is stated that: “Collectively, construction of these buildings would substantially degrade the existing expansive open visual character and short-range and long range visual qualities and redefine the visual character of the project site experienced from the Hollister Avenue Local Scenic Corridor; therefore, the project would result in a significant impact on aesthetics and visual resources.” Please refer to our comments above regarding the conclusions on DEIR page 1-15. The alleged impacts described in this section of the DEIR cannot be construed as being “substantial” and the impact must be re-classified.

DEIR Page 4.1-22. 4.1.5 Visual Resources – Mitigation Measures. Based upon the above comments, any and all mitigation measures relating to relocation and/or reduction of buildings must be removed as unnecessary and not required.

DEIR Page 4.1-22. 4.1.5 Visual Resources – Figure 4.1-7. As demonstrated by this figure, there is a 31.4% ridge line view blockage shown in perspective photo #7B, due primarily to the fact that the ridge is at its lowest spot on the horizon. As described above, 0.68 seconds of the drive view of the ridge line is blocked. This minimal blockage, when combined with the fact that ALL other view corridors were determined to be less that significant, indicates that the Project’s visual impacts are not “substantial” and as such, cannot be considered significant. The Final EIR must therefore change the classification of this aesthetic impact.

The following comments relating to Cultural Resources have been prepared by Pam Post, Ph.D., and David Stone, M.A. RPA (see qualifications below), and as such, constitute expert opinion on these subjects.

DEIR Page 4.4-1. 4.4 Cultural Resources - Technical Reports Forming the Basis of the Expert Assessment of Cultural Resources. The EIR correctly refers to technical reports prepared as part of the project application. The Historical Resources technical report was prepared by Pam Post, Ph.D., a City-qualified historian with over 20 years of experience preparing these analyses pursuant to guidelines maintained by the County of Santa Barbara (adopted by the City of Goleta), and City of Santa Barbara. The archaeological resources technical report was prepared by Dudek under the management of David Stone, M.A. RPA, who has prepared such documents for the County of Santa Barbara, City of Goleta, and City of Santa Barbara for nearly 30 years, and was an author of the City of Goleta’s Cultural Resource Guidelines while Santa
Barbara County archaeologist. The EIR discussion, however, consistently fails to reflect the substantial evidence provided by these local experts throughout the document’s environmental setting, impacts, and mitigation sections. The EIR therefore is deficient in that it does not reflect the facts presented by these experts. These facts were consistently provided in the original technical reports and responses to the peer review provided by the EIR consultant. The comments presented below again present these points of fact.

DEIR Page 4.4-2, 2nd Paragraph. 4.4.1 Existing Conditions, Historical Resources - Southern Pacific Railroad (SPRR) Cut Artifacts. The EIR states, “based on surface inspection, there is no evidence of the remnants of the former railroad’s road bed, etc.”

The Dudek Phase 1 Archaeological Survey resulted in an intensive survey of the railroad cut surface. The professional archaeological investigation, prepared consistent with City of Goleta Cultural Resource Guidelines, did not identify any evidence of the former railroad. In addition, the Post-Hazeltine Response to the EIR Consultant Peer Review indicates that the railroad cut has not been subject to substantial erosion and alluviation that would result from a drainage or creek flowing during peak flooding events. Therefore, the natural burial of any unknown historic materials located beneath flooding alluvium in the railroad corridor segment cut bank is considered highly unlikely.

According to the Post/Hazeltine Associates’ Phase 1 Historic Resources report, no other artifactual remains would be expected associated with a railroad constructed in the early 20th century. “Once the bed was graded, a gravel base was laid (usually about 15-feet wide) and the steel rails and wood ties were installed” (pages 10-11). Therefore, the potential for any archaeological evidence of the former SPRR railroad corridor was intensively assessed and determined to not exist. The absence of any surficial vestiges of the railroad is one of the many reasons that the SPRR cut does not maintain its integrity, and therefore that the historical importance of the road cut has been compromised.

DEIR Page 4.4-4. Existing Conditions, Historical Resources - Evaluation of Historical Significance of the Railroad Cut, 2nd Paragraph. The EIR correctly states that the Post-Hazeltine report, prepared by local historical experts, determines that the SPRR cut onsite is not considered a significant historical resource based on local, state, or federal criteria. However, the EIR fails to provide the basis for this determination which in fact was clearly articulated in the Post-Hazeltine report. The DEIR then states that only the EIR consultant’s opinions will be used as the sole foundation for determining the significance of the resource.

This approach fails to comply with CEQA Guidelines Section 15064(a)(1), which states that the determination of significance must be based on “substantial evidence in light of
the whole record before a lead agency" (emphasis added). Substantial evidence is defined in CEQA Guidelines Section 15064(f)(5) as "facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts." The DEIR's stated intention to consider only one opinion is clearly an abuse of discretion. An EIR must include the conflicting views of experts and the justify its acceptance of one opinion or another on the basis of well-articulated analysis.

The Post Hazeltine historical study and response to the EIR consultant peer review explicitly provides factual statements that have been ignored in the Draft EIR. The EIR's conclusions regarding the significance of the railroad cut are therefore unsubstantiated.

The Post Hazeltine historical study correctly cites the criteria of resource “integrity” that has primary importance in the City of Goleta's Cultural Resource Guidelines significance criteria. The Cultural Resource Guidelines Historic Resources Element, Historical Significance, A. Significance Criteria, states (Page 22):

“A significant resource: a) possesses integrity of location, design, workmanship, material, and/or setting.”

These criteria explicitly state that a resource must maintain the qualities that make it a significant resource capable of being associated with historical events, persons, or being a distinctive example of structure associated with a type, period, region, method of construction, the work of an important individual, or possessing high artistic values (CEQA Guidelines 15064.5[3][c]).

**Location:** The Post Hazeltine historical study and response to the EIR consultant peer review clearly explains that the railroad cut maintains it's integrity of location- the cut swale still exists. It is critical to note, as does Post-Hazeltine in their response to the EIR consultant peer review, that while the setting of the spur as an excavated swale remains, the relationship of this small segment of the 19th century railroad to the corridor extending outside the project site is absent. The swale has been removed from its historical context, such that the historical relationship of this portion of the former railroad has been lost. Therefore, the historical importance of the road cut location has been compromised.

**Design and Workmanship:** The setting of the spur remains as an excavated swale; however, the design of the swale is not unique to the SPRR route, and does not exhibit any particularly noteworthy traits of workmanship or design. In contrast, local evidence of significant workmanship and design along the SPRR route is “the extensive cutting and filling and construction of twelve large steel bridges with viaducts ranging in length
between 421 to 811 feet constructed through the coastal plan between Dos Pueblos and Santa Maria" that were required to complete the connection of the SPRR Coast Line from Surf to Elwood (Post-Hazeltine 2009, pg. 10). This type of evidence is absent within the project site.

Other measures of the swale’s integrity, as stated in the City of Goleta Historical Resource Guidelines, including Setting, Materials, Workmanship, and Design have been lost.

**Materials:** As stated above, there are no artifacts or construction materials associated with the railroad, including gravel ballast placed underneath rails, the wood railroad ties, the iron rails, or even iron spikes. Even in the unlikely event that original construction materials were found, gravel ballast, wooden ties, and iron spikes that would have been used on the 1887 railroad line in the Goleta Valley do not reflect distinctive characteristics of a type, period, region or method of railroad construction, do not represent the work of a creative individual, do not possesses high artistic values, and because they were common for this period, would not yield information important to history. Local evidence of significant historical materials along the SPRR route is, for example, a trestle or bridge that illustrates the engineering technologies of the late 19th century. Examples of this are the large steel bridges with viaducts ranging in length between 421 to 811 feet that were constructed between Dos Pueblos and Santa Maria associated with the completion of the Coast Line during the years 1898-1912, the materials for which were often in short supply (Post-Hazeltine 2009, pg. 10). This type of evidence is absent within the project site.

**Setting:** The railroad swale was one of many such topographic diversions to allow for locomotives to more easily transcend the undulating Goleta Valley topography. The curving alignment of the railroad cut on the project site was a component of the Coast Line’s looped terminus at the Elwood Station. The Coast Line extended from the William’s Flat Station near the La Patera Lane/Hollister Avenue intersection, and continued through the project site northward to what is now Tuolumne Road and Elwood Station Road, north of US 101, before heading south to the Elwood Station. This circuitous route did reflect the need to reduce grading that otherwise might have been necessary to direct the Coast Line route in a more easterly-westerly direction. This railroad corridor segment on the project site, however, is too fragmentary by itself to substantially exemplify a distinctive characteristic or method of construction whereby grading was minimized. An appropriate local example of such evidence along the SPRR line is “the extensive cutting and filling and construction of twelve large steel bridges with viaducts ranging in length between 421 to 811 feet constructed through the coastal plan between Dos Pueblos and Santa Maria” (Post-Hazeltine 2009, pg. 10) that
were required to complete the connection of the Coast Line from Surf to Elwood. This type of evidence is absent within the project site.

The above substantial facts demonstrate that the SPRR cut onsite does not retain sufficient qualities associated with its original construction, context, and function to allow it to fulfill local, state, or federal significance criteria. The EIR does not consider the lack of integrity in addressing the SPRR cut’s ability to address City General Plan Policy VH 5.2 local significance criteria. The EIR acknowledges that the SPRR cut does not fulfill 7 of the 10 possible criteria. The loss of integrity discussed above bears on the remaining three criteria, discussed below.

a. *It exemplifies or reflects special elements of the city’s cultural, social, economic, political, aesthetic, architectural, landscape architectural, or natural history.*

The railroad swale is a surviving example of railroad transportation history in the early 20th century. It can be characterized as a “landscape architectural” feature, given the grading that occurred related to its construction. As discussed above, however, the integrity of the swale’s location and setting has been compromised given that the relationship of the swale to the adjacent SPRR corridor has been lost.

b. *It is identified with persons or events of local, State or National history.*

The SPRR swale does have a direct association with historic figures, namely the principals of the SPRR Company (the “Big Four,” Collis Huntington, Mark Hopkins, Leland Stanford, and Charles Crocker), and Union Pacific Railroad (UPRR) president Edward H. Harriman, who are important in the past. The railroad cut onsite, however, represents only an isolated fragment of the much longer rail line dating to the late nineteenth and early twentieth century. The SPRR railroad corridor segment on the Westar property is not substantially identified with these “persons or events of local, state or national history,” primarily because it lacks sufficient integrity to convey its historic design, setting, materials and workmanship, and because this isolated fragment of the original line cannot convey its association with important historic figures or events. The SPRR’s principals including the “Big Four,” and successors including Harriman, are associated with the entire surviving Coastal Route between Los Angeles and Northern California. Given the degree to which the original railroad infrastructure has been improved and upgraded over the past 100 years resulting in the removal of original historic materials, it is unlikely that the entire line would be eligible for listing as a significant historic resource based on this association. In contrast, specific sites along the Coastal Route that exhibit sufficient integrity to clearly convey this historic association with the Big Four or later operators of the line exist. Examples are where important historic events associated with the history of the SPRR took place, such as
the location where "the construction-train engine crossed the Cementario viaduct (located north of Gaviota), signaling the completion of the Coast Line's northern route between Los Angeles and San Francisco" (Post-Hazeltine 2009, pg. 11). No such particular historic event is associated with the isolated SPRR railroad corridor segment on the project site. Therefore the railroad cut onsite is not substantially associated with "persons or events of local, state or national history," and therefore does not satisfy City of Goleta General Plan/Coastal Land Use Plan Visual and Historic Resource Element Local Significance Criterion b.

i. It is one of the few remaining examples possessing distinguishing characteristics of an architectural, landscape architectural, or historical type.

As noted above, the SPRR cut maintains its original location, but is isolated from the adjacent corridor that provides its historical context and importance. The railroad corridor segment onsite can be classified as an example of late nineteenth century engineering, but as it represents only a very small section of the original line that is no longer associated with other features dating to the 1887 to circa 1900 railroad, the feature does not retain its distinguishing historical characteristics.

Therefore, the SPRR railroad cut does not address any of the City General Plan's historical resource significance criteria.

In order to comply with CEQA Guidelines Section 15064(a)(1), these facts provided by City-qualified, local experts must be included in the Final EIR.

DEIR Page 4.4-7. City's Environmental Thresholds and Guidelines Manual Significance Ranking. The EIR refers to the City of Goleta's Environmental Thresholds and Guidelines approach for providing a quantitative significance assessment. The EIR consultant identifies an overall value of 2.5, and considers this sufficient to determine the SPRR cut significant. This is an incorrect application of the Guidelines numerical ranking criteria. The Guidelines (page 62) state:

"A rating of E (exceptional) for any significance attribute marks a resource as possessing extraordinary or exceptional importance and indicates that it should receive special consideration in the planning process regardless of the numeric rating for other significance attributes. For instance, a resource may be of extreme antiquity, and therefore be rated E in the aspect of age, but achieve an average numeric rating of say, 1.7 in all other attributes of significance."

The Guidelines do not state that averaging all significance criteria together and a score of over 2.0 equates to significance. The Post-Hazeltine Historic Resources Report
correctly average each significance attribute: Integrity- 2; Age- 3; and Association- 1.1. This numerical ranking does not constitute a significant resource.

DEIR Page 4.4-7 California Register of Historical Resources (CRHR) Eligibility. The EIR improperly finds that the SPRR cut is: 

A) is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage; and

B) is associated with the lives of persons importation in our past.

The Post-Hazeltine Historical Resources Report concludes that the isolated railroad corridor segment on the project site does not retain integrity of Design, Setting, Materials, or Workmanship. Insufficient evidence of the historic railroad route exists to illustrate a substantial association with significant historic events and/or with significant persons or persons involved with developing the railroad. The railroad line has a direct association with historic figures, namely the principals of the SPRR Company (the “Big Four,” Collis Huntington, Mark Hopkins, Leland Stanford, and Charles Crocker), and Union Pacific Railroad (UPRR) president Edward H. Harriman, who are important in the past. The railroad cut onsite, however, represents only an isolated fragment of the much longer rail line dating to the late nineteenth and early twentieth century, and therefore is not substantially identified with these “persons or events of local, state or national history,” because it lacks sufficient integrity to convey its historic design, setting, materials and workmanship, and because this isolated fragment of the original line cannot convey its association with important historic figures or events. The SPRR’s principals including the “Big Four,” and successors including Harriman, are associated with the entire surviving Coastal Route between Los Angeles and Northern California. Given the degree to which the original railroad infrastructure has been improved and upgraded over the past 100 years resulting in the removal of original historic materials, it is unlikely that the entire line would be eligible for listing as a significant historic resource based on this association.

In order to comply with CEQA Guidelines Section 15064(a)(1), these facts provided by City-qualified, local experts must be included in the Final EIR.

DEIR Page 4.4-8 National Register of Historical Resources (NRHP) Eligibility. The EIR improperly finds that the SPRR cut is:

A) is associated with events that have made a significant contribution to the broad patterns of our history; and

B) is associated with the lives of persons importation in our past.
The lack of integrity associated with the SPRR cut compromises the ability for the feature to sufficiently address these qualities.

The EIR equates the SPRR cut with the historic Goleta railroad station, which was listed on the NRHP. The EIR does not identify critical differences in the integrity of the Goleta Railroad Station and the railroad corridor segment on the project site that clearly make this analogy incorrect. When nominated to the NRHP, the Goleta Railroad Depot was located in its original location adjacent to the railroad tracks responsible for bringing passengers and freight to the facility. Therefore, the overall context of the station was intact relative to its historical setting. In contrast, the SPRR cut on the project site has been completely isolated from the SPRR route extending to the east and north, removing its historical context. As a result, this section of line in isolation does not convey its historical association with the history of the Goleta Valley or the SPRR. Additionally, the Depot, even in its pre-restoration state, retained most of its historic materials that were considered distinctive characteristics of a type, period or method of construction including: wood framing; wood siding; wood sash windows; and wood doors. These historic-period materials effectively conveyed its historic appearance and associations with the Coast Line, SPRR, and UPRR. In contrast, the railroad cut on the Westar property does not retain any physical materials including its gravel bed, rails, and ties that are associated with the period of its use in the late nineteenth and early twentieth century. This is not the case with the Goleta depot, which maintained these qualities even in its deteriorated state.

Therefore, the SPRR cut on site does not retain sufficient integrity to fulfill NRHP eligibility criteria.

In order to comply with CEQA Guidelines Section 15064(a)(1), these facts provided by City-qualified, local experts must be included in the Final EIR.

DEIR Page 4.4-9. Archaeological Sensitivity of the Project Site. The EIR discussion fails to provide factual data that addresses the presence or absence of archaeological resources on the project site. Pursuant to City of Goleta Cultural Resources Guidelines, the entire project area was subject to an intensive Phase 1 archaeological survey undertaken by City-qualified archaeologists (Dudek 2009). A low density scatter of small shellfish fragments and chipped stone flakes with modern trash were identified in the northwest area of the project site. Dudek subsequently evaluated the integrity and depth of these materials in a subsurface Extended Phase 1 Archaeological Investigation in May, 2009, 2 years before the EIR consultant provided peer review of these studies. The Extended Phase 1 excavations included excavation of five backhoe trenches. Modern trash was identified in each of the three trenches that recovered materials possibly associated with prehistoric occupation. This finding is consistent with
documented conclusions associated with other recorded sites in the project vicinity, in which materials had been imported or transported during construction of US 101 and the Storke Road/Glen Annie Road overpass. Therefore, the prehistoric materials found within the project site are not intact, but represent relatively recent construction activity. They are not potentially significant resources under City of Goleta or CEQA significance criteria. The Dudek Extended Phase 1 report explained, however, that

"There is a limited potential for the imported soils onsite to also contain isolated human remains or diagnostic (indicating a prehistoric time of use) artifacts within disturbed contexts. Contemporary Chumash individuals generally consider all prehistoric artifacts and food remains (i.e., shellfish and animal bone), regardless of whether they have been previously disturbed, to be important heritage resources (pg. 20)."

As a result, monitoring of ground disturbances by a City-qualified archaeologist and Native American observer was recommended within the shellfish scatter and a 300-foot buffer in the northwest corner of the proposed project area, the only areas that are considered "sensitive" where potential prehistoric materials were identified.

In order to comply with CEQA Guidelines Section 15064(a)(1), these facts provided by City-qualified, local experts must be included in the Final EIR.

The Dudek Phase 1 report provided substantial facts that identified the absence of archaeological materials in the northeast corner of the site. No evidence of intact prehistoric materials, including artifacts or a developed archaeological soil, was observed during the intensive pedestrian survey. Despite fair to good ground surface visibility within the project area, and a systematic examination of the adjacent northern property boundary cut bank and the SPRR cut, no cultural bearing soil strata were observed. As a result, no potentially significant archaeological resources were located within the proposed project area. Although substantial evidence existed for this conclusion, Dudek carried out additional Extended Phase 1 excavations in this area in response to the EIR consultant peer review, almost 2 years after submittal of the original Extended Phase 1 report. Three shovel test pits (STPs) were excavated in the northeast corner of the proposed project area, adjacent to a previously recorded archaeological site area offsite. The STPs were 35-40 centimeters (14-16 inches) in diameter and were excavated in 20-centimeter (8-inch) levels to a maximum depth of 40 centimeters (16 inches) below surface. The depth of the STPs was sufficient to determine if prehistoric archaeological materials recorded adjacent to the proposed project area extend within the northeast corner of the proposed project area. Excavated soil was dry-screened on-site through 1/8-inch mesh. The excavations were observed by Gilbert Unzueta, a Barbareño Chumash elder, and all work was carried out
consistent with City of Goleta Cultural Resource Guidelines. No prehistoric archaeological materials were recovered during the excavations of the three STPs. The STPs indicate that the soils are generally consistent with the descriptions of Milpitas-Positas series soils present in the proposed project area. Therefore, there is no archaeological sensitivity in this area of the project site.

The EIR states that “the level of testing has not conclusively established that the potential for subsurface human remains or artifacts does not exist in this area of the site.” There is no factual basis or supported evidence, however, provided for this statement in the EIR. The three STPs excavated were located within approximately 5 meters (15 feet) of each other and the eastern project boundary. Given established professional standards and practice, this spacing is extremely conservative- the spacing of survey transects (rows) is identified as 15 meters (over 50 feet). The three STPs, in addition to examination of cut banks on the northern property, provides a substantial factual basis for the determination that no archaeological materials exist in this area of the project site.

The potential for archaeological remains to be encountered during grading is limited to the northwest area of the project site, as defined in the Dudek Extended Phase 1 report.

In order to comply with CEQA Guidelines Section 15064(a)(1), these facts provided by City-qualified, local experts must be included in the Final EIR.

DEIR Page 4.4-12. 4.4.3 Project Impacts. The EIR correctly characterizes the extent of ground disturbances associated with project development. It erroneously states that any of these subsurface ground disturbances could potentially result in the discovery and disturbance of historic and prehistoric archaeological resources, including human remains.” As stated above, substantial factual evidence has been provided as a result of the Phase 1 and Extended Phase 1 archaeological studies that limits the potential for encountering previously disturbed prehistoric materials to the area within the northwest corner of the project area.

In order to comply with CEQA Guidelines Section 15064(a)(1), these facts provided by City-qualified, local experts must be included in the Final EIR.

DEIR Page 4.4-13. 4.4.3 Project Impacts. Historical Resources – Impact CR-1. The EIR correctly characterizes the extent of ground disturbances associated with project development to the SPRR cut. As discussed above, the feature is not a potentially significant resource under local, state, or federal criteria, as it does not maintain sufficient integrity or qualities associated with its relationship to the SPRR operated in
the late 19th and early 20th centuries. Impact CR-1 must acknowledge that CEQA Guidelines Section 15064.5(c)(4), that states,

“If an archaeological resource is neither a unique archaeological nor an historical resource, the effects of the project on those resources shall not be considered a significant effect on the environment. It shall be sufficient that both the resource and the effect on it are noted in the ...EIR..., but they need not be considered further in the CEQA process.”

DEIR Page 4.4-13. 4.4.3 Project Impacts. Archaeological Resources – Impact CR-2. This impact completely ignores the substantial factual evidence provided in the Phase 1/Extended Phase 1 archaeological investigations. As described above, these investigations completed by local City-qualified experts and wholly consistent with City of Goleta Cultural Resource Guidelines, have demonstrated that there are previously disturbed prehistoric resources within the northwest area of the project site. Though these resources are not significant archaeological resources as defined by City of Goleta and CEQA criteria, there is the potential for unknown, isolated human remains. This is a potential impact, but the precise basis of this statement and the geographic limitations to the northwest area of the project site must be included. Impact CR-2 should be restated as follows: The project would result in the potential to degrade previously disturbed archaeological resources within the northwest project site area.

DEIR Page 4.4-13. 4.4.4 Cumulative Impacts. Impact CR-4. The EIR correctly characterizes the past disturbances to the SPRR corridor. These previous disturbances have resulted in cumulatively considerable impacts on the historic resource, as defined in CEQA Guidelines Section 15064(h)(1). The proposed project’s incremental effect resulting from disturbances to the SPRR cut, however, would not be a considerable contribution to the cumulative impact, as the integrity of the resource on site has already been lost. Therefore, the project would not represent a cumulatively considerable contribution to past cumulative impacts on the SPRR corridor that passed through the City of Goleta.

DEIR Page 4.4-14. 4.4.4 Cumulative Impacts. Impact CR-5. The EIR correctly characterizes the past disturbances to archaeological resources throughout Santa Barbara County, and identifies specific related projects where archaeological sites are recorded. The EIR incorrectly characterizes the proposed project’s incremental contribution to this cumulative effect, given that only disturbed prehistoric resources are located within a portion of the project site. The EIR must be corrected to provide the precise nature of the disturbed archaeological resources within the project site and
to appropriately characterize the incremental contribution to cumulative effects as limited, given the disturbed resources’ lack of integrity.

DEIR Page 4.4-14. 4.4.5 Mitigation Measures: Historical Resources – Mitigation Measure CR-1-2. The two components of this mitigation measure must be separated. The second component, to install a plaque and/or information board explaining the history of the 1887 SPRR cut, should include an illustration of where the cut is located relative to the proposed project. It should be located in a way as to maximize public awareness of the resource, adjacent to an area where individuals can stand and/or sit and appreciate its contents.

The first component of the measure is not effective and will result in maintenance issues. Placing an alignment of paving materials, shrubs, or stone walls along the existing SPRR cut perimeter location will not communicate to visitors to the project site any geographic importance of the feature relative to the project site. Long-term maintenance of any demarcators will be problematic. There is no precedent for this type of measure within the City of Goleta or County of Santa Barbara. The component is not effective in ensuring that the objectives of public education are reached, and it is not a measure that can be feasibly implemented over the long term. It must be deleted from the Final EIR.

DEIR Page 4.4-15. 4.4.5 Mitigation Measures: Archaeological Resources – Mitigation Measure CR 2-1. As stated above, substantial factual evidence has been presented identifying the limited potential for encountering unknown, previously disturbed archaeological resources within the northwester area of the project site, as defined in the Dudek Extended Phase 1 Report (July 2009). The application of Mitigation Measures CR 2-1 needs to precisely define this geographic extent.

DEIR Page 4.4-16. 4.4.5 Mitigation Measures: Archaeological Resources – Mitigation Measure CR 2-2. As discussed in detail above, there is no factual basis for assuming that there is the potential for unknown buried artifacts associated with the SPRR cut. There is no nexus for this mitigation measure, and it must be deleted from the Final EIR.

DEIR Page 4.4-20. 4.4.6 Residual Impacts. As stated above, the proposed project would not result in a significant impact on resources associated with the late 19th-early 20th SPRR corridor, as the cut on site does not maintain sufficient integrity to qualify as a significant resource. Therefore, impacts on historic-period resources would be adverse, but less than significant (Class III).
DEIR Page 4.6-6. Greenhouse Gas Emissions. Attached please find our comments addressed to the analysis of Greenhouse Gas Emissions relating to Section 4.6 of the DEIR. These comments have been prepared by David Deckman and Jennifer Pace\(^2\), and as such, constitute expert opinion on this subject.

DEIR Page 4.6-7. 4.6.2 Greenhouse Gas Emissions – Thresholds of Significance (2nd full paragraph). It is stated that “Currently, neither the City of Goleta nor the State of California has adopted significance thresholds for GHG emissions.” Without an adopted significance thresholds for GHG emissions, how can the City of Goleta determine that the Project will create a Class I impact?


DEIR Page 4.7-17. 4.7 Hazards and Hazardous Materials. It is stated that “The County of Santa Barbara considered the adoption of specific significance criteria with respect to 60Hz magnetic fields, and the EMF threshold adopted by the County in 1994 provides “At this time, given the existing information regarding potential health impacts and the uncertainty surrounding these impacts, the Board of Supervisors did not adopt a threshold for ELF exposure. In the absence of a threshold, CEQA impacts are addressed on a case-by-case basis.”

However, the Cavaletto Tree Farm Housing Project EIR, cited above, states: “The County of Santa Barbara has not adopted any thresholds of significance with respect to the extremely low frequency EMF (ELF-EMF) associated with power lines (County of Santa Barbara, Planning and Development, 2008), although the County of Santa

\(^2\) Dave Deckman serves as Dudek’s Director of Air Quality Services. He has a Bachelor of Science in Engineering and a Master of Science in Ecology. He has been employed in the environmental field for more than 36 years, including 29 years as an air quality specialist in industry and environmental consulting. He has prepared or managed more than 60 air quality assessments for documents prepared under the California Environmental Quality Act (CEQA) and/or the National Environmental Policy Act during the past 20 years. Of those assessments, more than 30 have included an assessment of greenhouse gas (GHG) emissions, which generally began to be included in CEQA documents starting in 2006/2007. He has also been a speaker on GHGs and CEQA on numerous occasions. Ms. Pace has a Bachelor of Arts in Environmental Studies/Geography and has been employed in the environmental consulting field for more than 4 years. During this time, she has been extensively involved in air quality and GHG assessment for a wide variety of projects, including several in Santa Barbara County. She has prepared more than 35 air quality assessments, nearly all of which included an analysis of GHG emissions. Both Ms. Pace and Dave Deckman are well versed in the industry-standard emission estimation models, including URBEMIS2007 (URBan EMISsions) and CaIEEMod (California Emission Estimator Model), which was released earlier this year, among other air emission calculation methodologies.
Barbara Environmental Thresholds and Guidelines Manual (2008) states there is a "need to address these potential health effects through disclosure of potential environmental impacts." Likewise, the State of California has no exposure guidelines for ELF-EMF, but supports a policy wherein no cost and low-cost measures to mitigate EMF levels are encouraged (California Public Utilities Commission, 2007). The U.S. has no federal standards limiting occupational or residential exposure to 60-Hz EMF. Table 4.8-2 shows guidelines suggested by national and world health organizations, while Table 4.8-3 lists guidelines that have been adopted by various states in the U.S. in relation to electric-power transmission-line rights of way (ROWs). As discussed above, these data demonstrate that a substantially higher threshold than that adopted by the Westar DEIR is appropriate, and that impacts associated with the project under review must be determined to be less than significant.


The following comments relating to Traffic and Circulation have been prepared by Associated Transportation Engineers (ATE), a local professional transportation and parking firm with registered traffic engineers, and as such, constitute expert opinion on these subjects.

DEIR Page 4.13-39, Mitigation Measure TR 2-1. Plan Requirements and Timing. The mitigation requires that the design of the roadway improvement be reviewed and approved by the City of Goleta "prior to recordation of the final map". Since the project will not generate new traffic prior to occupancy of the new residential units and retail square footage, and since gaining approvals from the City can be a lengthy process, this timing requirement should be changed to "prior to occupancy clearance".

DEIR Page 4.13-39, Mitigation Measure TR 2-1. Monitoring. The monitoring section of the mitigation requires that the design of the roadway improvement be reviewed and approved by the City of Goleta "prior to recordation of the final map or issuance of any Land Use Permit". This is inconsistent with the Plan Requirements and Timing section of the mitigation. In order to provide flexibility in the timing and implementation of the mitigation, this requirement should be changed to "prior to occupancy clearance".

DEIR Page 4.13-39, Mitigation Measure TR 3-1. The mitigation measure states that the improvements for the US 101 SB Ramps/Storke Road intersection are to be "designed and constructed to achieve a LOS A operating condition during the A.M. peak hour...".

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3 Excerpts from the Cavaletto Tree Farm Housing Project Proposed Final Environmental Impact Report (SCH #2009121053) dated September 2011, County of Santa Barbara
There is no nexus for this requirement. The intersection currently operates at LOS C in the A.M. peak hour and the project-added traffic degrades operations to LOS D. The mitigation should therefore require that LOS C or better conditions be maintained with the mitigation.

The mitigation language should be changed as follows: "The improvements are to be designed and constructed to achieve a **LOS C or better** operating condition during the A.M. peak hour".

DEIR Page 4.13-39, Mitigation Measure TR 3-1. Plan Requirements and Timing. The mitigation requires that the improvement to the intersection be reviewed and approved by both the City of Goleta and Caltrans "prior to recordation of the final map". Since the project will not generate new traffic prior to occupancy of the new residential units and retail square-footage, and since gaining approvals from Caltrans can be a lengthy process, this timing requirement should be changed to "prior to **occupancy clearance**".

DEIR Page 4.13-39, Mitigation Measure TR 3-1. Monitoring. The monitoring section of the mitigation also requires that the design of the intersection improvements be reviewed and approved by the City of Goleta and Caltrans "prior to recordation of the final map". This requirement should be changed to "prior to **occupancy clearance**".

DEIR Page 4.13-41, Mitigation Measure TR 6-2. This mitigation measure addresses the project's contribution to a cumulative impact on the section of Storke Road south of Whittier Drive. Since this impact is caused primarily by the significant cumulative traffic growth generated by the UCSB Long Range Development Plan and buildout of the Isla Vista Master Plan, and since the City has historically utilized a fair-share payment program to address this mitigation, the Westar Mixed-Use Village Project should not be conditioned to implement the improvement prior to occupancy. Instead, the project should be conditioned to contribute a fair-share payment to the City of Goleta for it's proportional share of the cumulative traffic increases on the roadway.

Almost all of the traffic growth on Storke Road south of Whittier would be attributed to buildout of the UCSB LRDP and the Isla Vista Master Plan. The UCSB LRDP EIR indicates that UCSB would add between 3,000 and 4,000 ADT to the roadway segment depending on the scenario. Buildout of the IV Master Plan was forecast to add about 2,500 ADT to the roadway segment. So, we can see that the UCSB LRDP and the IV Master Plan account for the bulk of the future traffic using the road.
The City of Goleta, in conjunction with the County of Santa Barbara and UCSB, has historically established and utilized a fair-share payment program to address the widening of Storke Road south of Whittier Drive.

The planning and environmental documents prepared for the Ellwood-Devereux Open Space Plan (which included the City of Goleta, the County of Santa Barbara, and UCSB) contained conditions that required UCSB to widen the entire southbound section of Storke Road from Whittier Drive to El Colegio Road. This widening was required to mitigate a significant project-specific impact to the roadway segment related to the construction of the new student housing units adjacent to Storke Road. Widening of the northbound segment was to be done by the City of Goleta.

The Isla Vista Master Plan EIR, certified by the County of Santa Barbara, acknowledged the roadway impact and contained the same mitigation measure as the Ellwood-Devereux EIR, with UCSB being responsible for widening the southbound side of the road and the City of Goleta being responsible for widening the northbound side.

The current UCSB LRDP EIR also identified a significant impact to this roadway segment. The mitigation measure in the EIR requires UCSB to contribute a proportional share payment to the City of Goleta for the improvements required to mitigate this roadway impact.

Based on the above, the condition should be modified to require the Westar Mixed-Use Village Project to contribute a fair-share payment to the City for the implementation of the mitigation measure. The project’s contribution to cumulative traffic on the roadway segment is 9.46%. The formula for determining the project’s fair-share payment of the improvement cost should also be added to this mitigation measure, as follows:

\[
\text{Percent Share} = \frac{\text{Project Added Volume}}{\text{(Cumulative + Project Volumes} - \text{Existing Volumes})}
\]

Alternatively, the City could amend the GTIP to include the Storke Road widening project so that fair share funding of the improvement is provided by all future project in the area, and so that the improvement is constructed at the time when needed. It is noted that the City’s General Plan Transportation Element identifies the need for the Storke Road widening and indicates that it is to be funded using GTIP fees. Thus, the City has already formally expressed a commitment through its General Plan to treat this improvement as a GTIP project. The improvement project should be listed on the GTIP and payment of GTIP fees should constitute the mitigation for the cumulative impact.
In summary, the City of Goleta, the County of Santa Barbara, and UCSB have all determined that construction of the portion of Storke Road s/o Whittier Drive that is within the jurisdiction of the County of Santa Barbara is the responsibility of UCSB. As to that portion, a finding should be made that construction is within the responsibility and jurisdiction of another agency and has been confirmed by that agency. See Public resources Code 21081(a)(2). These three agencies have agreed that they will coordinate among themselves integrated construction of the Storke s/o Whittier improvements, which must be undertaken at the same time in order to provide effective mitigation. Construction of these improvements will not be needed until the projected UCSB construction comes on line. Thus, either by a required amendment to the GTIP or based on existing agreement among affected agencies, a plan or program has been approved as part of a public review process which insures that the mitigation will be completed when it is required. The final EIR must determine that the Westar project’s de minimis contribution to this cumulative impact is rendered less than significant by its fair share payment through GTIP fees. See CEQA Guidelines 15064(h)(3), 15130(a)(3)

DEIR Page 4.14-5. Project Impacts – Water Demand – (2nd full paragraph): It is stated that: “The project’s demand would be 4.8 percent of this increase in water demand over the current planning period in the area served by the GWD. Based on normal weather conditions, annual projected water demand would exceed GWD supply by 211 AFY for the year 2030. Assuming that the project’s annual demand of 100.64 AF would be added to this projected deficit, the GWD would face a 311.64 AFY shortfall. As such, until a Can and Will Service letter has been received from GWD, the project’s water supply has not been secured. This is considered a potentially significant impact.” We are not clear on how the 100.64 AFY water demand was determined. The Goleta Water District has accepted the following Project water demand calculations:

36.27 AFY total residential including irrigation
9.09 AFY total commercial including irrigation
45.36 AFY TOTAL

It should be noted that 1.91 AFY has been credited for historic use on existing meter, which results in a net water demand of 43.45 AFY, which equals the total water that has been purchased from the Goleta Water District. As Westar has already purchased 43.45 AFY for the subject property, the Goleta Water District is currently obligated to serve the project once application is made for formal water service. Westar is already guaranteed provision of this water. In this regard, potential future GWD water deficits associated the proposed project are irrelevant and cannot be considered a potentially significant impact. The Final EIR must clarify this issue.
DEIR Page 6-2. 6.1.1 No Project Alternatives (Aesthetics): It is stated that "Obstruction of views from Hollister Avenue is assumed to be significant and unavoidable impact similar to the project." Please refer to our comments on DEIR pages 1-7, 1-15, 1-17, 4.1-8 through 4.1-22 relating to the re-classification of the impact.

DEIR Page 6-5. No Project Alternatives (6.1.4 Cultural Resources): It is stated that "This alternative would result in the removal of an 1887 railroad cut, a locally significant, and CRHR and NRHP eligible, historical resource; therefore, impacts to historical resources would be significant and unavoidable." Please refer to our comments on DEIR pages 4.4-1 through 4.4-20 relating to the re-classification of the impact.

DEIR Page 6-6. No Project Alternatives (6.1.7 Hazards and Hazardous Materials): It is stated that "The existing structure located on Parcel A is exposed to an EMF of 2mG and would continue to be exposed to the EMF of 2mG as the structure would not be demolished. Development of up to 447 housing units would be placed outside the 2mG contour, which would reduce the impact to Hazards and Hazardous Materials (EMF exposure) from a significant and unavoidable impact to a less than significant impact." Please refer to our comments on DEIR page 1-50 relating to the re-classification of the impact.

DEIR Page 6-9. 6.2 Alternative 2: Redesign Commercial Component: It is stated that "This alternative would focus on the commercial section with a goal of recapturing some of the northerly ridgeline views from Hollister Avenue, and would retain more of a semblance of an open space feeling of the site (albeit developed rather than natural) while avoiding placement of habitable areas of structural development within the 2mG EMF contour. Conceptually, this alternative would involve:

- "Relocation of Building A (which is anticipated to be a 7,000 square foot restaurant building) from the project design location along Hollister Avenue and the project entrance to be located within Buildings E and F, as a second story, to the retail uses."

Please refer to our comments on DEIR pages 1-7, 1-15, 1-17, 4.1-8 through 4.1-22 relating view impacts and to our comments on DEIR pages 1-50 relating to the placement of habitable areas of structural development within the 2mG EMF contour. In this regard, there is no need for this Alternative; additionally, the retail industry has shown customers are generally not willing to patronize "stand-alone" second story retail uses, and as such, this portion of the Alternative is infeasible and as such must be removed from this discussion.
DEIR Page 6-10. 6.2 Alternative 2: (Aesthetics): Please refer to our comments on DEIR pages 1-7, 1-15, 1-17, 4.1-8 through 4.1-22 relating to the re-classification of the impact.

DEIR Page 6-11. 6.2 Alternative 2: (Hazards and Hazardous Materials): Please refer to our comments on DEIR pages 1-50 relating to the placement of habitable areas of structural development within the 2mG EMF contour issues. In this regard, there is no need for this discussion in this Alternative.

DEIR Page 6-12. 6.2 Alternative 2: (Land Use and Planning): Please refer to our comments on DEIR pages 1-62 relating to ALUC issues. In this regard, there is no need for this discussion in this Alternative.

DEIR Page 6-13. 6.3 Alternative 3: Redesign and Reduced Density Residential Alternative: It is stated that: “This alternative would focus on the preservation of the historical 1887 SPRR railroad cut with the goal of retaining the most defined portion of it onsite, with the area designated an open space park while avoiding placement of habitable areas of structural development within the 2mG EMF contour.” Please refer to our comments on DEIR pages 4.4-1 through 4.4-20 relating to the re-classification of the impact. Also, please refer to our comments on DEIR pages 1-50 relating to the placement of habitable areas of structural development within the 2mG EMF contour issues. In this regard, there is no need for this discussion in this Alternative.

DEIR Page 6-13. 6.3 Alternative 3 (Aesthetics): Please refer to our comments on DEIR pages 1-7, 1-15, 1-17, 4.1-8 through 4.1-22 relating to the re-classification of the impact.

DEIR Page 6-14. 6.3 Alternative 3 (Cultural Resources): Please refer to our comments on DEIR pages 4.4-1 through 4.4-20 relating to the re-classification of the impact.

DEIR Page 6-15. 6.3 Alternative 3: (Hazards and Hazardous Materials): Please refer to our comments on DEIR pages 1-50 relating to the placement of habitable areas of structural development within the 2mG EMF contour issues. In this regard, there is no need for this discussion in this Alternative.

DEIR Page 6-15. 6.3 Alternative 3: (Land Use Planning): Please refer to our comments on DEIR pages 1-62 relating to ALUC issues. In this regard, there is no need for this discussion in this Alternative.

DEIR Page 6-17. 6.4 Environmentally Superior Alternative: It is stated that: “Based on the alternative analysis provided above, it has been determined that Alternative 3 (Redesign and Reduced Density Residential Alternative) would result in the fewest
number and lesser significance of adverse impacts; and thus, has been chosen as the environmentally superior alternative.” Please refer to ALL of our comments related to alleged Project impacts AND our comments on ALL of the Alternatives, which indicates that the Proposed Project is actually the Environmentally Superior Alternative.

On behalf of Westar Associates, we thank you in advance for your time and consideration of these matters.

Sincerely,

[Signature]

Kenneth E. Marshall, AICP
Principal

Attachments (GHG and Cavaletto EIR)

cc: Peter Koetting
    Connor Best
    Peter Brown, Esq.
    Don Donaldson
    Scott Schell
November 18, 2011

Peter J. Koetting
Westar Associates
2925 Bristol Street
Costa Mesa, CA 92626-5991

Subject: Westar Mixed-Use Project Draft Environmental Impact Report Greenhouse Gas Comments

Dear Mr. Koetting:

This letter presents comments prepared by Jennifer Pace, Air Quality Specialist, and me on Section 4.6, Greenhouse Gas Emissions, of the Draft Environmental Impact Report (EIR) for the Westar Mixed-Use Project. I serve as Dudek’s Director of Air Quality Services. I have a Bachelor of Science in Engineering and a Master of Science in Ecology. I have been employed in the environmental field for more than 36 years, including 29 years as an air quality specialist in industry and environmental consulting. I have prepared or managed more than 60 air quality assessments for documents prepared under the California Environmental Quality Act (CEQA) and/or the National Environmental Policy Act during the past 20 years. Of those assessments, more than 30 have included an assessment of greenhouse gas (GHG) emissions, which generally began to be included in CEQA documents starting in 2006/2007. I have also been a speaker on GHGs and CEQA on numerous occasions. Ms. Pace has a Bachelor of Arts in Environmental Studies/Geography and has been employed in the environmental consulting field for more than 4 years. During this time, she has been extensively involved in air quality and GHG assessment for a wide variety of projects, including several in Santa Barbara County. She has prepared more than 35 air quality assessments, nearly all of which included an analysis of GHG emissions. Both Ms. Pace and I are well versed in the industry-standard emission estimation models, including URBEMIS2007 (URBan EMISsions) and CalEEMod (California Emission Estimator Model), which was released earlier this year, among other air emission calculation methodologies.

GREENHOUSE GAS COMMENTS

The Draft EIR for the Westar Mixed-Use Village project estimated that project-generated annual GHG emissions associated with non-mobile sources (i.e., electricity, natural gas, water, and solid waste) would be approximately 2,036 metric tons (MT) carbon dioxide equivalent (CO₂E) per year. The DEIR assessment used outdated usage rates and non-specific statewide values for emission factors when estimating GHG emissions. Using more recent and appropriate emission factors and assumptions, estimated annual project-generated GHG emissions would be 980 MT CO₂E per year for non-mobile emission sources. Incorporation of energy reduction measures would further reduce project-generated GHG emissions to 933 MT CO₂E per year for non-mobile emission sources, a reduction of by 47 MT
CO₂E per year. Reductions associated with implementation of mitigation measures were not estimated in the DEIR.

In March 2011, the South Coast Air Quality Management District released the California Emissions Estimator Model (CalEEMod) Version 2011.1. CalEEMod estimates GHG emissions generated during construction and operation of a project. Although the Santa Barbara County Air Pollution Control District (APCD) has not yet formally required the use of CalEEMod for air quality and GHG analyses, CalEEMod is the most appropriate model for CEQA analyses as it is the most recent emissions estimator model that uses more current assumptions than previous models, including URBEMIS 2007. Emission factors for Southern California Edison and energy usage rates for the County of Santa Barbara, as assumed in CalEEMod, would be the more appropriate values to use when estimating project-generated GHG emissions. CalEEMod Version 2011.1.1 was used to estimate non-mobile GHG emissions generated during operation of the proposed Westar Mixed-Use Village project, as detailed below. Calculations are detailed in Attachment A.

Table 1 presents a comparison of GHG emissions as estimated in the DEIR and as estimated using more current emission factors and more accurate assumptions for the Westar Mixed-Use project than those assumed in the DEIR. Table 1 also presents reduced emissions resulting from implementation of energy mitigation assuming a 17% improvement above Title 24 requirements. Please see Attachment B, Energy & Green Code Compliance Summary, for a breakdown of project features that exceed Title 24 requirements.

<table>
<thead>
<tr>
<th>Category</th>
<th>DEIR Estimates</th>
<th>CalEEMod Estimates</th>
<th>CalEEMod Estimates Applying Mitigation</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>MT CO₂E/year</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Energy - Electricity</td>
<td>939</td>
<td>625</td>
<td>605</td>
</tr>
<tr>
<td>Energy - Natural Gas</td>
<td>681</td>
<td>193</td>
<td>166</td>
</tr>
<tr>
<td>Water</td>
<td>139</td>
<td>61</td>
<td>61</td>
</tr>
<tr>
<td>Solid Waste</td>
<td>277</td>
<td>101</td>
<td>101</td>
</tr>
<tr>
<td>Total</td>
<td>2,036</td>
<td>980</td>
<td>933</td>
</tr>
</tbody>
</table>

Notes:
MT CO₂E: metric tons carbon dioxide equivalent
The values in Table 1 do not include area sources that generate GHG emissions (i.e., landscaping equipment), which result in a nominal amount of GHGs (3.5 MT CO₂E per year as estimated in CalEEMod)

Despite these differences, it is recognized that even with lower GHG emissions from non-mobile sources, the proposed project’s GHG emissions would still exceed the significance threshold of 1,100 MT CO₂E per year.

Electricity. DEIR Page 4.6-9:

1. The EIR estimates that GHG emissions associated with electricity would be 939 MT CO₂E per year.

DUDEK
The DEIR electricity demand rate is based on the Santa Barbara County APCD GHG Guidelines for commercial and residential use and a GHG conversion factor from the California Climate Action Registry General Reporting Protocol Version 3.1 (January 2009).

- The GHG conversion factor of 0.331 pounds/megawatt-hour for electricity reflects emission factors of 724.12, 0.0302, and 0.0081 pounds/megawatt-hour for CO₂, CH₄, and N₂O, respectively, for the CAMX (most of California) region of eGRID. Together, these values would be 727.27 pounds CO₂E/megawatt-hour or 0.330 metric tons/megawatt-hour (the small difference may reflect different global warming potentials or conversion factors).

2. Using CalEEMod assumptions for electricity, CalEEMod estimates that GHG emissions associated with electricity would be 625 MT CO₂E per year.

- GHG emissions factors for Southern California Edison as utilized in CalEEMod include: 641.26 pounds/megawatt-hour for CO₂, 0.029 pounds/megawatt-hour for CH₄, and 0.011 pounds/megawatt-hour for N₂O. The CO₂ factor for Southern California Edison is more appropriate than the CAMX value for this project as it reflects Southern California Edison users instead of an average for the state of California.

3. Assuming a 17% improvement above Title 24 requirements mitigated GHG emissions would be approximately 605 MT CO₂E per year. Please see Attachment B, Energy & Green Code Compliance Summary, for a breakdown of project features that exceed Title 24 requirements.

<table>
<thead>
<tr>
<th>Energy Use Land Use Sub Type</th>
<th>Electricity Land Use Sub Type</th>
<th>Title 24 Electricity Energy Intensity</th>
<th>Non-T24 Electricity Energy Intensity</th>
<th>Lighting Energy Intensity</th>
<th>Title 24 Natural Gas Energy Intensity</th>
<th>Non-T24 Natural Gas Energy Intensity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Apartments Mid Rise</td>
<td>Dwelling Unit</td>
<td>314.21</td>
<td>2,392.12</td>
<td>805.7</td>
<td>9,993.28</td>
<td>1,980</td>
</tr>
<tr>
<td>Condo/Townhouse High Rise</td>
<td>Dwelling Unit</td>
<td>274.52</td>
<td>2,943.11</td>
<td>1,016.08</td>
<td>22,237.48</td>
<td>3,383.8</td>
</tr>
<tr>
<td>Regional Shopping Center</td>
<td>1,000 sq ft</td>
<td>3.58</td>
<td>2.80</td>
<td>6.42</td>
<td>1.00</td>
<td>1.05</td>
</tr>
</tbody>
</table>

Note: Only energy intensity in Title 24 columns is affected by project features.

**Natural Gas, DEIR Page 4.6-9:**

1. The DEIR estimates that GHG emissions associated with natural gas would be 681 MT CO₂E per year.

- Table 4.6-2 in the DEIR indicates that CO₂E emissions from natural gas would be 681 MT per year. The URBEMIS output file in Appendix A indicates that natural gas CO₂ emissions would be 680.85 tons per year. Therefore, the estimate provided has not been converted to MT CO₂E. GHG emissions associated with natural gas use as assumed in...
the DEIR would be approximately 620 MT CO₂E per year after accounting for the contribution of other GHGs and the conversion to metric tons.

2. Using CalEEMod assumptions for natural gas, CalEEMod estimates that GHG emissions associated with natural gas would be 193 MT CO₂E per year.
   - CalEEMod assumptions for natural gas usage and emission factors are more precise than what was used in the DEIR (i.e., URBEMIS 2007 default assumptions).

3. Assuming a 17% improvement above Title 24 requirements mitigated GHG emissions would be approximately 166 MT CO₂E per year. Please see Attachment B.

**Water and Wastewater. DEIR Page 4.6-9, Page 4.14-5:**

1. The EIR estimates that GHG emissions associated with water would be 139 MT CO₂E per year.
   - GHG emissions as a result of wastewater treatment were not considered in the DEIR.
   - DEIR Assumptions (Page 4-14-5, Table 4.14-1): Apartments Mid Rise: 25,670,576 gallons/year; Condo/Townhouse High Rise: 374,729 gallons/year; and, Regional Shopping Center: 6,748,383 gallons/year of indoor water; indoor and outdoor water were not presented separately in the DEIR.

2. Using CalEEMod assumptions for indoor water and outdoor water, CalEEMod estimates that GHG emissions associated with water would be 61 MT CO₂E per year.
   - Water use rates assumed in CalEEMod include a breakdown of indoor and outdoor water specific to each land use and are more appropriate than the 2002 factors used in the DEIR analysis. The CalEEMod water and wastewater electricity intensity (kWh/million gallons) factors are based on the value for Northern California as reported in the CEC 2006 Report "Refining Estimates of Water-Related Energy Use in California," and are more appropriate for this analysis. CO₂ emission factors for electricity provided by Southern California Edison are more appropriate than CAMX factors for this analysis.

<table>
<thead>
<tr>
<th>Water Use Rate</th>
<th>Electricity Intensity Factor</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Indoor</td>
</tr>
<tr>
<td></td>
<td>(gallons/year)</td>
</tr>
<tr>
<td>Apartments Mid Rise</td>
<td>17,852,203</td>
</tr>
<tr>
<td>Condo/Townhouse High Rise</td>
<td>325,770</td>
</tr>
</tbody>
</table>
Table 3. Water and Wastewater Assumptions

<table>
<thead>
<tr>
<th>Water Land Use Sub Type</th>
<th>Water Use Rate (gallons/year)</th>
<th>Electricity Intensity Factor (kWh/acre-ft)</th>
<th>Wastewater Treatment (kWh/million gallons)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regional Shopping Center</td>
<td>1000 sq ft</td>
<td>6,670,231</td>
<td>4,088,206</td>
</tr>
</tbody>
</table>

Note: Assumes 100% aerobic wastewater treatment.

Solid Waste. DEIR Page 4.6-9; Page 4.14-5:

1. The EIR estimates that GHG emissions associated with solid waste would be 277 MT CO₂E per year.
   - The solid waste generation rate is based on the 2002 City of Goleta Environmental Thresholds and Guidelines Manual dated 2002. According to Section 4.14, Table 4.14-4, the project would generate 476.10 tons per year of solid waste, under the assumption that 50% recycling diversion would occur. Section 4.6, Table 4.6-2, indicates that solid waste generation would be 477.61 tons per year; slightly more than what is presented in Section 4.14.

2. Using CalEEMod assumptions for solid waste, CalEEMod estimates that GHG emissions associated with solid waste would be 101 MT CO₂E per year.
   - CalEEMod assumptions are more appropriate than DEIR assumptions based on pre-2002 data.

Table 4. Solid Waste Assumptions

<table>
<thead>
<tr>
<th>Solid Waste Land Use Sub Type</th>
<th>Solid Waste Land Use Size Metric</th>
<th>Solid Waste Generation Rate</th>
<th>Landfill No Gas Capture</th>
<th>Landfill Capture Gas Flare</th>
<th>Landfill Capture Gas Energy Recovery</th>
</tr>
</thead>
<tbody>
<tr>
<td>Apartments Mid Rise</td>
<td>Dwelling Unit</td>
<td>126.04</td>
<td>6%</td>
<td>94%</td>
<td>0%</td>
</tr>
<tr>
<td>Condo/Townhouse High Rise</td>
<td>Dwelling Unit</td>
<td>2.3</td>
<td>6%</td>
<td>94%</td>
<td>0%</td>
</tr>
<tr>
<td>Regional Shopping Center</td>
<td>1000 sq ft</td>
<td>94.55</td>
<td>6%</td>
<td>94%</td>
<td>0%</td>
</tr>
</tbody>
</table>

If you have any questions regarding these comments, please feel free to contact Jennifer Pace at (805) 963-0651 ext. 3534 or David Deckman at (530) 885.8232 ext. 3912.

Sincerely,

Jennifer Pace
Air Quality Specialist

David Deckman
Director of Air Quality Services

DUDEK

4253

November 2011
January 6, 2012

Mr. Scott Kolwitz, Senior Planner  
CITY OF GOLETA  
130 Cremona Drive, Suite B  
Goleta, CA 93117

GMU Project: 07-036-00

Subject: Geotechnical Review of “Geology and Soils” Section of Draft EIR for the Westar Mixed-Use Village in the City of Goleta, California

Reference: See Page 7

Dear Mr. Kolwitz:

GMU has reviewed the “Geology and Soils” section (Section 4.5) of the Draft EIR dated October 2011 for the Westar Mixed-Use Village in the City of Goleta. GMU’s review of the Geology and Soils section is based on our referenced reports. Comments and suggested revisions are presented below.

Section 4.5 (Pg. 4.5-1):
- GMU references should include GMU 2007, GMU 2009, and GMU 2011.

Section 4.5.1 Project Site Geology Conditions (Pg. 4.5-2):
- GMU references should include GMU 2007, GMU 2009, and GMU 2011.

Section 4.5.1 Intermediate-age Quaternary Alluvium (Pg. 4.5-4 and 4.5-5):
- GMU references should include GMU 2007, GMU 2009, and GMU 2011.

- “Any medium-dense sandy units…” Suggest re-wording to say “Medium-dense sandy units, if saturated, may be subject to liquefaction during a strong earthquake.”

- “Generally unstable on slopes greater than 20 percent” Suggest deleting this comment, since there is no analysis to support it.

- “Susceptible to slope failures during strong earthquake shaking” Suggest re-wording to say “Depending on slope height and inclination, may be subject to slope failure during strong earthquake shaking.”
• “Potentially highly to very highly expansive with poor to adequate foundation characteristics” Suggest re-wording to say “Soil profile that mantles intermediate-age alluvium has potential to be highly expansive.”

Section 4.5.1 Geologic Structure (Pg. 4.5-6):
• “The State of California...life of an engineered structure.” Needs to be more consistent with Alquist-Priolo Act. Suggest re-wording to say “The State of California (Alquist-Priolo Earthquake Fault Zoning Act, 2007) defines an active fault as one which has had surface displacements within Holocene time (about the last 11,000 years). Initially, faults were defined in the Alquist-Priolo Act as “potentially active”, and were zoned, if they showed evidence of surface displacement during Quaternary time (last 1.6 million years). Beginning in 1977, evidence of Quaternary surface displacement was no longer used as a criterion for zoning. Since 1975, the State of California defined the terms “sufficiently active” and “well defined” for application in zoning faults. These two terms constitute the present criteria used by the State Geologist in determining if a given fault should be zoned under the Alquist-Priolo Act. A fault is deemed sufficiently active if there is evidence of Holocene surface displacement. A fault is considered well-defined if its trace is clearly detectable by a trained geologist as a physical feature at or just below the ground surface (Alquist-Priolo Earthquake Fault Zoning Act, 2007).

• “We conclude that the More Ranch fault...the estimated maximum moment magnitude earthquake is 6.7...” This magnitude conflicts with magnitude shown on Table 4.5-2 for More Ranch fault.

Section 4.5.1 Figure 4.5-2
• Suggest Re-Labeling Figure and Legend as “Seismic Source Faults” instead of “Active Seismic Source Faults” to be more consistent with Alquist-Priolo definition of active fault discussed above (i.e., since many pre-Holocene faults are shown on the figure).

Section 4.5.1 Geologic Structure (Pg. 4.5-8)
• “Their study concluded that the fault...is considered potentially active.” Suggest adding “However, they also concluded that the lack of offsets in the features to a depth of 100 feet indicates the absence of a surface rupture hazard.”

• “Also, the geologic analysis for the Cabrillo Business Park...” Suggest adding “This study concluded that the fault does not appear to have moved for hundreds of thousands of years, and there is an absence of a near-surface rupture hazard.”
• Last paragraph: “They found that there are three possible faults…” Suggest re-wording as “They found that there may be three possible faults…”

Section 4.5-1 Geologic Structure (Pg. 4.5-9)
• “…one located on the main mapped El Encanto fault and one deep fault, and two trenches located at estimated projection points of the other two deep faults.” Re-word as “…one located on the main mapped El Encanto fault and one possible deep fault, and two trenches located at estimated projection points of the other two possible deep faults.”

Section 4.5-1 Geologic Structure (Pg. 4.5-10)
• “…GMU indicates that three faults interpreted may not exist, but it was the most conservative assumption to take for the project.” Re-word as “…GMU indicates that three possible faults may not exist, but were presented as a conservative scenario for use in selecting additional locations for surface fault trenches.”

Section 4.5-1 Geologic Structure (Pg. 4.5-11)
• Replace “Folds and Bedding Plans” with “Folds and Bedding Planes”

Section 4.5-1 Geologic Structure (Pg. 4.5-13)
• “Ground motion values are modified to…” Re-word as “Ground motion values are modified to account for local site soil conditions, in this case stiff soil (Site Class D as defined by the CBC).”

• “A deterministic estimate of the potential for strong ground shaking…” Additional description should be added to clarify fault source, distance, and attenuation equation used in deterministic analysis.

Section 4.5-1 Geologic Structure (Pg. 4.5-14)
• “…estimated peak horizontal ground acceleration (PHGA) is 0.59g.” should be changed to “…estimated peak horizontal ground acceleration (PHGA) is 0.58g.”

Section 4.5.2 Alquist-Priolo Earthquake Fault Zoning Act (Pg. 4.5-16)
• Add the following: “The State of California (Alquist-Priolo Earthquake Fault Zoning Act, 2007) defines an active fault as one which has had surface displacements within Holocene time (about the last 11,000 years). Initially, faults were defined in the Alquist-Priolo Act as “potentially active”, and were zoned, if they showed evidence of surface displacement during Quaternary time (last 1.6 million years). Beginning in 1977, evidence of Quaternary surface displacement was no longer used as a criterion for zoning. Since 1975, the State of California defined the terms “sufficiently active” and “well defined” for application in zoning faults. These two terms
constitute the present criteria used by the State Geologist in determining if a given fault should be zoned under the Alquist-Priolo Act. A fault is deemed sufficiently active if there is evidence of Holocene surface displacement. A fault is considered well-defined if its trace is clearly detectable by a trained geologist as a physical feature at or just below the ground surface (Alquist-Priolo Earthquake Fault Zoning Act, 2007).

Section 4.5.4 Project Impacts (Pg. 4.5-19)
- In Table 4.5-4, next to “Fault is active (A), or potentially active (PA), or not active (NA),” suggest deleting “PA” under Project Site since GMU (2007) concluded/proved that possible surface faults are not active. Project Site should be “NA”.

- In Table 4.5-4, next to “Estimated 10% in 50 years Peak Ground Acceleration (g),” should use PGA = 0.58g as determined by site-specific probabilistic analysis in GMU (2011).

Section 4.5.4 Project Impacts (Pg. 4.5-20)
- Replace “Based on one sample tested...” with “Based on samples tested...” since four corrosion tests were performed.

Section 4.5.4 Project Impacts (Pg. 4.5-21)
- Impact Geo 2: Replace “The project would be developed in the vicinity of potentially active folds and may be located above or in the vicinity of the potentially active El Encanto fault.” with “The project would be developed in the vicinity of potentially active folds and in the vicinity of the potentially active El Encanto fault.” since GMU (2007) showed that the El Encanto fault is north of the site.

- “GMU (2007, 2009, and 2011) conducted a fault investigation and concluded there are no sufficiently active/potentially active and well-defined faults present within the project site.” Delete “potentially active” and re-word as “GMU (2007, 2009, and 2011) conducted a fault investigation and concluded there are no sufficiently active and well-defined faults present within the project site.”

Section 4.5.4 Project Impacts (Pg. 4.5-22)
- “…faults associated with the main El Encanto fault making it, based on commonly used terminology, a potentially active fault.” Delete “…making it, based on commonly used terminology, a potentially active fault.” GMU did not conclude this and the Alquist-Priolo Act does not establish fault zones based on this terminology. Also per Goleta SE 4.2, faults are only potentially active until demonstrated to be not active, which GMU (2007) did.
Section 4.5.4 Project Impacts (Pg. 4.5-22)
- Delete "...(2) present beneath the site and is not active in the upper 150 feet of upper Pleistocene marine terrace deposits,..." GMU (2007) did not find the main trace of the fault beneath the site, even below a depth of 150 feet. Only smaller secondary faults were identified as possible but unconfirmed.

Section 4.5.4 Project Impacts (Pg. 4.5-23)
- Delete "in an overview fashion" since GMU (2011) was a comprehensive foundation investigation and grading plan review.

- "The project site has some potential for shallow groundwater..." Re-word as "The project site has some potential for groundwater in the upper 50 feet, and..."

- "A determination of the Project site...will allow an assessment of lateral spreading landslide potential." Should be revised based on full liquefaction and lateral spreading investigation included in GMU (2011). Suggest replacing with "GMU (2011) indicates a maximum of 0.21" of liquefaction-induced settlement occurring below a depth of 25 to 30 feet below existing grade. Consequently, seismic settlement at the ground surface is anticipated to be negligible. Liquefaction-induced lateral spreading is considered to be unlikely at the subject site due to the lack of a free face or significant sloping ground, the negligible potential for liquefaction, and the significant depth to potentially liquefiable strata.”

Section 4.5.4 Project Impacts (Pg. 4.5-24)
- Delete "deep pile foundations"
Please do not hesitate to call if you have any questions regarding the content of this response.

Respectfully submitted,

GMU GEOTECHNICAL, INC.

Aron Taylor, M.S., PG, CEG 2455
Principal Engineering Geologist

Gary Urban, PE, GE 2237
President
Principal Geotechnical Engineer

cc: Westar Associates
Attn: Mr. Peter Koetting (1 copy)
REFERENCES

GMU Geotechnical, Inc., 2007, “Fault Investigation Report for Proposed Development at Hollister Avenue and South Glen Annie Road, Goleta, Santa Barbara County, California,” dated September 21, 2007 (GMU Proj. No. 07-036-00)

GMU Geotechnical, Inc., 2009, “Preliminary Geotechnical Overview Report, Goleta Mixed Use Village, Hollister Avenue, City of Goleta, California,” dated September 18, 2009 (GMU Proj. No. 07-036-00)

Scott please include these pictures in tonight’s meeting so everyone can get a visual of the huge grade differences.

Thank you Shawn Dollar

This is the view looking west from our front porches. As you can see we are at least 4 feet down from the street grade.
This view is looking east at our homes.

This view is looking north, you can see how high the hillside is on the left.
Looking West at the grade of the Westar Project, much higher than the street grade which is 4 feet higher than our homes.