RESOLUTION NO. 07-13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GOLETA CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT AND APPROVING THE ADDENDUM DATED APRIL 23, 2007 TO THE ENVIRONMENTAL IMPACT REPORT (37-SB-EIR) AND ADOPTING CEQA FINDINGS, MITIGATION MONITORING AND REPORTING PROGRAMS, AND A STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE CABRILLO BUSINESS PARK PROJECT 6767 HOLLISTER AVENUE, ASSESSOR PARCEL NUMBER 073-450-005

WHEREAS, an application was originally submitted by Sares – Regis Group for Santa Barbara Realty Holding Company, LLC to the County of Santa Barbara on May 14, 1999 requesting approval of a General Plan Amendment, Rezone, Vesting Tentative Tract Map, and Development Plan; a revised application in response to Santa Barbara Airport issues was submitted to the County on June 8, 2001 and was deemed complete on September 7, 2001; the application was transferred to the newly-incorporated City of Goleta on July 1, 2002 and the application was revised again on August 19, 2005 to include an Ordinance Amendment for a Development Agreement and also on February 27, 2006 to include a Conditional Use Permit for a caretaker unit (subsequently withdrawn on October 10, 2006);

WHEREAS, the application was originally to reconfigure existing research and industrial land use and zoning designations, to create 19 lots, and development of an additional approx. 704,600 square feet (approx. 946,282 square feet total) with landscaping and recreational amenities on a 92-acre parcel;

WHEREAS, it was determined that the proposed project, inclusive of all of its various components, was subject to the California Environmental Quality Act, that one or more significant effects on the environment may occur, and that preparation of an Environmental Impact Report would be required;

WHEREAS, a Draft Environmental Impact Report was prepared by Science Applications International Corporation (SAIC) under contract to the County of Santa Barbara and a Final Environmental Impact Report was prepared by SAIC under contract to the City of Goleta;

WHEREAS, a Notice of Completion was filed with the State Office of Planning and Research (OPR) and distributed to responsible, trustee, and interested agencies and individuals on June 5, 2002;

WHEREAS, a Notice of Availability of, and Public Hearing on, the Draft Environmental Impact Report (37-SB-EIR) was noticed by publication in a newspaper of general circulation within the County of Santa Barbara on June 5, 2002, and by direct mailing to interested agencies and individuals in the manner prescribed by the State CEQA Guidelines and the County of Santa Barbara CEQA Guidelines;

WHEREAS, the Notice of Availability of, and Public Hearing on, the Draft Environmental Impact Report was distributed to the Office of the County Clerk of the County of Santa Barbara for posting for a period of at least 30 days;

WHEREAS, the State Clearinghouse [SCH # 2000041129] assigned a 45-day review period, extending from June 5, 2002 to July 19, 2002;

WHEREAS, a public hearing to receive comments on the adequacy of the Draft EIR was held on July 10, 2002 and a resolution validating this public hearing was adopted at a meeting of the Goleta City Council on March 17, 2003 (03-17);

WHEREAS, a total of 16 letters or written statements were received on the Draft EIR;

WHEREAS, in response to written public comments received, responses to comments were prepared and a proposed Final EIR was released on April 13, 2007, pursuant to the requirements of the State and City CEQA Guidelines, including written responses to comments received on the Draft document; and

WHEREAS, in response to the findings in the EIR and comments by the City, the project was revised on April 12, 2007 to include a City-initiated rezone to reconfigure research and industrial zoning designations to be consistent with land use designations in the City's recently adopted General Plan, an Ordinance Amendment for the Development Agreement, a Vesting Tentative Tract Map to create 22 lots, and development of an additional approx. 714,600 square feet (approx. 956,282 square feet total) with associated onsite and offsite infrastructure, landscaping amenities, and a substantial greenbelt area providing amenities for passive and active recreational activities on a 92-acre parcel;

WHEREAS, an Addendum to the Final EIR, dated April 23, 2007, was prepared for the revised project; and

WHEREAS, the City Council has considered the entire administrative record, including the staff reports, the Draft and Final EIRs, including comments and responses to comments, the Addendum dated April 23, 2007, the recommendation of the Planning Agency, the application materials, and oral and written testimony from interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GOLETA AS FOLLOWS:

Section 1. **Recitals.** The City Council hereby finds and determines the foregoing recitals, which are incorporated herein by reference, are true and correct.

Section 2. **Certification of the Final EIR.** The City Council has examined the proposed Final Environmental Impact Report, including the comments and responses to comments on the Draft EIR, received on April 13, 2007, and finds that the Final Environmental Impact Report has been prepared in compliance with the requirements of CEQA including direct, indirect, and cumulatively significant effects and proposed mitigation measures; and hereby certifies that the Final Environmental Impact Report constitutes a complete, accurate, adequate, and good faith effort at full disclosure, and reflects the City of Goleta's independent judgment and analysis pursuant to Section 15090 of the State CEQA Guidelines.

Section 3. **Approval of Addendum.** The City Council finds that the Addendum dated April 23, 2007 describes the revised project and identifies changes to the CEQA analysis presented in the Final Environmental Impact Report (37-SB-EIR). The revised project does not result in any of the conditions described in Section 15162 or Section 15163 of the State CEQA Guidelines calling for a subsequent or supplemental EIR. Specifically, changes in the project and changes associated with the circumstances under which the project is undertaken do not result in major revisions to the EIR and do not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects. There is no new information of substantial importance that would result in new significant effects or a substantial increase in the severity of previously identified significant effects. Additionally, there are no new feasible mitigation measures or alternatives considerably different from those analyzed in the EIR that are now available. The Addendum dated April 23, 2007 has been completed in compliance with State CEQA Guidelines Section 15164 and has been presented to the City Council along with the Final EIR. The Council has reviewed and considered the information in the Final EIR and Addendum prior to taking action on the projects. The City Council hereby approves the Final EIR and Addendum dated April 23, 2007 for the Cabrillo Business Park project.

Section 4. **CEQA Findings.** The City Council finds that the proposed project mitigates environmental impacts to the maximum extent feasible, and changes and alterations intended to avoid or substantially lessen the significant environmental effects identified in the Environmental Impact Report (37-SB-EIR) and Addendum dated April 23, 2007, have been incorporated as required conditions of approval where feasible, pursuant to Section 15090 of the State CEQA Guidelines. The Findings set forth in Exhibit 1 to this Resolution are hereby adopted and incorporated herein by this reference.

Section 5. Mitigation Monitoring and Reporting Programs. Public Resources Code Section 21081.6 (State CEQA Guidelines Section 15097) requires that the City adopt reporting or monitoring programs for the changes to the project which it has adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment. The procedures for mitigation monitoring and verification are described for each mitigation measure in the Final EIR. The approved project description, the mitigation measures as described in the Final EIR and Addendum dated April 23, 2007, and the conditions of approval, with their corresponding permit monitoring requirements (including Condition Compliance Program), are hereby adopted as the monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation.

Section 6. Statement of Overriding Considerations. In considering the approval of the Cabrillo Business Park project, the City Council has balanced the benefits of the projects against unavoidable adverse environmental impacts and finds that the benefits of the projects outweigh the adverse environmental effects. The Council finds that the adverse environmental effects are "acceptable" based on the Statement of Overriding Considerations in Exhibit 2, which is hereby adopted pursuant to Section 15093 of the State CEQA Guidelines.

Section 7. Documents. The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the City Clerk, City of Goleta, 130 Cremona Drive, Suite B, Goleta, California, 93117.

Section 8. The City Clerk shall certify to the adoption of this resolution.

PASSED, APPROVED AND ADOPTED this 30th day of April, 2007.

Jean W. Blois

JEAN BLOIS, MAYOR

ATTEST:

Deborah Constantino

DEBORAH CONSTANTINO
CITY CLERK

APPROVED AS TO FORM:

Julie Biggs

JULIE HAYWARD BIGGS
CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF SANTA BARBARA) ss.
CITY OF GOLETA)

I, DEBORAH CONSTANTINO, City Clerk of the City of Goleta, California, DO HEREBY CERTIFY that the foregoing City Council Resolution No. 07-13 was duly adopted by the City Council of the City of Goleta at a regular meeting held on the 30th day of April, 2007, by the following vote of the Council members:

AYES: COUNCILMEMBERS ACEVES, ONNEN, WALLIS, MAYOR PRO TEMPORE BENNETT AND MAYOR BLOIS

NOES: NONE

ABSENT: NONE

(SEAL)

Deborah Constantino

DEBORAH CONSTANTINO
CITY CLERK

SECTION 1.0
FINDINGS REGARDING POTENTIALLY SIGNIFICANT ENVIRONMENTAL IMPACTS WHICH CAN BE MITIGATED TO A LESS THAN SIGNIFICANT LEVEL (CLASS II)

Based upon the environmental analysis in the Final Environmental Impact Report (Final EIR) and the Addendum dated April 23, 2007, the City of Goleta finds that the Cabrillo Business Park project would result in potentially significant environmental impacts but that these impacts could be mitigated to less than significant levels. Significant impacts (Class II) have been identified for the following impact areas: Aesthetics/Visual Resources, Archaeological Resources, Biological Resources, Fire Protection, Geologic Resources, Hazardous Materials/Risk of Upset, Land Use, Noise, Public Facilities, Traffic and Circulation, and Water Resources/Flooding. Mitigation measures will be adopted by the City of Goleta as conditions of project approval. These measures are fully enforceable through permit conditions and would reduce impacts to a less than significant level.

(PS) = Project Specific Impact
(CMLTV) = Cumulative Impact

AESTHETICS/VISUAL RESOURCES

Impact Summary and Facts Supporting the Impact Finding

Impact AES-1. The proposed project would result in short-term aesthetic impacts during construction. (PS)

Impact AES-2. The proposed project structural development and landscaping has the potential to substantially obstruct public views of the onsite remnant of the Goleta Slough and the Santa Ynez Mountains as experienced from Los Carneros Road. (PS)

Impact AES-4. Landscaping of proposed structures with deciduous trees along Los Carneros Road and Hollister Avenue could result in ineffective screening of proposed structures during winter months and an objectionable view, inconsistent with the open space character of the eastern portions of the project site and the existing vegetation screening on the northeast property boundary. (PS and CMLTV)

Impact AES-5. The prevalence of native screen and shade trees and their vulnerability to pest infestation would compromise screening of buildings and parking lot shading. (PS)

Mitigation Measure Summary

Mitigation Measure AES-1. To prevent construction and/or employee trash from blowing offsite, covered receptacles shall be provided onsite. The applicant or designee shall retain a clean-up crew to ensure that trash and all excess construction debris is collected daily and placed in provided receptacles throughout construction.

Mitigation Measure AES-2.1. In order to minimize the potential effects of obstructing views from Los Carneros Road of the important Goleta Slough visual resource, the proposed skyline trees adjacent to and east of the proposed wetland enhancement area and the road shall be grouped to allow for several view corridors experienced from the roadway. The landscape buffer adjacent to the wetland enhancement area and Los Carneros Road within these corridors shall contain low-lying native shrubs compatible with the wetland habitat.

Mitigation Measure AES-4. In order to increase the year-round screening of proposed Buildings 1, 2, 4 and 12 as viewed from Hollister Avenue and Building 10, 11 and 12 along Los Carneros Road, the landscape plan shall be revised to augment the proposed exterior deciduous screening plantings with a substantial distribution of evergreen tall screening trees, such as Canary Island pines (Pinus canariensis). Such trees shall be planted intermittently in groups along Hollister Avenue to increase screening of the proposed buildings during the winter months when proposed deciduous trees would be barren. In order to ensure that proposed native species screening understory shrubbery receives sufficient sunlight during the winter, the percentage of evergreen screen trees shall not exceed 50 percent of the upper canopy trees in order to maintain the general health and appearance of the understory landscape.

Mitigation Measure AES-5. In order to minimize potential visual effects of periodic pest damage on proposed parking lot shade trees, the landscape plan shall be revised to integrate evergreen trees of similar size and shape to oaks such as the male podocarpus (Podocarpus gracilior) and New Zealand Christmas tree (Metrosideros excelsus) that are not susceptible to oak borne pests. These evergreens shall be planted intermittently throughout the proposed parking areas to minimize potential effects of pest blight and leaf loss affecting native coast live oak and cork oak plantings.

Mitigation Measure AES-10. The design, scale, and character of the overall project and subdivision improvements shall be found to be compatible with vicinity development, shall be integrated with neighboring properties, and shall be internally aesthetically compatible. The overall project and subdivision improvements review shall include, but shall not be limited to, the entry treatment at Cabrillo Park Drive, public frontages on Hollister Avenue and Los Carneros Road, the corner treatment at Hollister Avenue/Los Carneros Road, greenbelt areas, the wetland enhancement area, recreational facilities, streetscapes, major landscape features, and other common decorative features. Final plans shall include, but not be limited to, the following criteria:

a. Street elevations of buildings and structures shall enhance the streetscape, shall be pedestrian friendly, and shall include varied building setbacks.

b. Plazas, courtyards, and landscaped open space shall create a campus-like setting and shall provide for pedestrian access.

c. All outdoor storage or maintenance areas shall be screened through use of landscaping, fencing, and/or walls.

d. Architectural detailing shall be used to break up the box-like appearance of all new onsite research park/industrial/storage buildings and any associated structural development. Blank wall planes shall be avoided.

e. Adequate variety and interest shall be provided along all sides of a building. Treatments may include, but not be limited to, modulation of walls, wainscot or cornice molding, texture and/or patterns in building materials, niches for planters or seats, and decorative vents and grilles.

f. Bicycle access shall be provided, including separate bike lanes where feasible and shared bike lanes in all other directions.

g. Sufficient, secure, and protected bicycle parking shall be provided. Bicycle racks shall be the "Inverted U" type or other equivalent style.

h. Public transportation facilities shall be identified on project plans and equipment (such as bus shelters) shall be designed to be compatible with project architecture.

Mitigation Measure AES-11. The applicant shall submit a Maintenance Plan for maintenance in perpetuity of common landscaping, common open space areas, and/or any other common facilities. The Maintenance Plan shall identify responsibility for maintenance of any common elements. If any lot is intended to be sold, a copy of proposed CC&Rs shall be reviewed and approved by the City of Goleta.

Mitigation Measure AES-12. The requirements of AES-10 shall apply to each phase of project development.

Mitigation Measure AES-13. The applicant shall prepare a detailed landscape plan for the entire property that identifies existing landscaping, proposed new landscaping (trees, shrubs, groundcovers by species), size of plant materials, and location of landscaping. Landscaping shall consist of drought-tolerant native and/or Mediterranean type species which provides adequate enhancement of the property and screening from surrounding areas. The use of invasive plants shall be prohibited. Landscaping shall be used to soften building masses, to reinforce pedestrian scale, and to provide screening along public street frontages and within parking areas.

Mitigation Measure AES-14. To ensure adequate installation and maintenance of the approved landscape plan, the applicant shall enter into an installation and maintenance agreement and shall provide appropriate performance securities for tract improvements and phased structural development. Landscaping shall be maintained for the life of the project.

Mitigation Measure AES-15. Streetscape and frontage design along Hollister Avenue and Los Carneros Road frontages shall be created to provide a unified and/or coordinated visual presentation and shall improve the interface between pedestrians and vehicles. The following design elements shall be incorporated (as appropriate):

a. Abundant trees and landscaped medians.

b. Landscaping that buffers pedestrians and bicyclists from traffic without creating site distance conflicts.

c. Coordination of landscaping within the public right-of-way and adjacent development to provide an integrated street frontage.

d. Provision of street furniture including benches, planter seating, trash containers, and pedestrian scale light fixtures.

e. Use of pavement treatments and decorative tree wells.

f. Accent planting, textured paving, and specimen trees used to establish identities at building entries.

Mitigation Measure AES-16. Adequate textured/colored pedestrian pathways and/or formal walkways shall be provided at appropriate locations, including but not limited to, internal drive aisles, driveway entrances, crosswalks and other locations where pedestrians would commonly walk. Pathways and walkways shall be coordinated between lots, structures, and uses. These elements shall be reviewed and approved by Community Services, Planning and Environmental Services, and the Design Review Board.

Mitigation Measure AES-17. Parking lots shall be adequately designed with regard to space dimensions, aisle widths, turning radii, etc. and shall be adequately landscaped. The following standards shall apply:

a. Parking lot landscaping shall provide for adequate visual relief, screening, and shade. Planter strips/planter islands/finger planters shall combine trees, shrubs, and groundcover.

b. Tree density shall include approximately one tree for every four parking spaces. Trees shall be provided at the end of every aisle. Sufficient tree canopy shall be provided within and along the perimeter of parking areas. Deciduous trees are prohibited due to the visual effects of loss of canopy and due to the loss of shade.

c. Parking lot trees shall be selected such that there would be no interference with parking lot lighting at maturity.

d. Pedestrian circulation shall be adequate and clearly delineated such that safe and convenient pedestrian access is provided from parking areas to building entrances and common/open space areas. Planting strips shall be used between traffic zones and sidewalks wherever possible.

e. Permeable parking surfaces are encouraged wherever appropriate (e.g., leading into proposed bioswales).

Mitigation Measure AES-18. Loading docks shall be easily accessed and shall be identified on all final building plans and shall be adequately screened through use of design features.

Mitigation Measure AES-19. A Mechanical Equipment Plan shall be submitted for review and approval by the City of Goleta, including the Design Review Board, prior to land use permit approval for each phase. The Mechanical Equipment Plan shall include a site plan and elevations for all mechanical equipment (including HVAC condensers, switch boxes, etc). All equipment shall be designed to be integrated into the structure and/or screened completely from view.

Mitigation Measure AES-20. A Utility Plan shall be submitted for review and approval by the City of Goleta, including the Design Review Board, prior to land use permit approval for each phase. All utility service connections and aboveground mounted equipment (such as backflow prevention devices) shall be screened from view and painted in earthtone or other colors compatible with the surrounding area (red is prohibited). Screening may include a combination of landscaping, fencing, walls, or lattice. All gas and electrical meters shall be concealed and/or painted to match the surroundings. Utility transformers shall be placed in underground vaults unless proven to be technically infeasible. All transformers and vaults that must be located in the right-of-way shall be installed below grade unless otherwise approved by the City, and if not installed below grade, shall be screened from view.

Findings

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City of Goleta hereby finds that potentially significant impacts to aesthetics/visual resources are substantially reduced by the above mitigation measures. Specifically, the measures would provide for site clean-up during construction, protection of public views, adequate and appropriate landscaping for parking lots and structural development, use of appropriate construction materials, aesthetically compatible project design and subdivision improvements, common area maintenance, adequate treatment of public street frontages, and appropriate treatment of mechanical equipment and utilities. These measures are considered feasible and enforceable and have been demonstrated on other projects to be effective. They will be incorporated as conditions of approval and would lessen the significant environmental effects to a less than significant level.

ARCHAEOLOGICAL RESOURCES

Impact Summary and Facts Supporting the Impact Finding

Impact ARCH-1. Direct adverse, significant impacts to intact portions of archaeological sites CA-SBA-52 and CA-SB-53 would result from grading, excavation, and trenching during construction of buildings, roads, and other structures. (PS and CMLTV)

Impact ARCH-2. Landscaping activities would directly disturb intact CA-SBA-52 and CA-SBA-53 archaeological deposits. (PS and CMLTV)

Impact ARCH-3. Covering portions of the sites with structures and fill could compact and destroy fragile cultural materials, and use of chemically incompatible fill can alter a site's chemical and organic composition. (PS and CMLTV)

Impact ARCH-4. Covering portions of prehistoric archaeological sites with fill would result in the indirect impact of loss of scientific access to the capped cultural resource. (PS and CMLTV)

Impact ARCH-5. Project construction could result in disturbance of unknown potentially significant subsurface cultural resources. (PS and CMLTV)

Impact ARCH-6. Project construction would increase the access to archaeological artifacts and potential for unauthorized collection. (PS and CMLTV)

Impact ARCH-7. Project employee and public recreational use would potentially increase access and damage to archaeological artifacts. (PS and CMLTV)

Impact ARCH-8. Project development would potentially disturb archaeological resources and place fill on top of human burials and burial grounds, considered by local Native Americans critical elements of their cultural and spiritual heritage. (PS and CMLTV)

Impact ARCH-10. Removal of the World War II ammunition storage bunker and the Flight Physics Range Building would result in the loss of these examples of war time and Cold War activities. (PS)

Mitigation Measure Summary

Mitigation Measure ARCH-1.1. Phase 2 archaeological excavations undertaken for the applicant (Wilcoxon, 2000) shall be documented pursuant to City Cultural Resource Guidelines, including but not limited to, preparation of a final Phase 2 technical report that identifies significant portions of the sites and makes recommendations for Phase 3 mitigation in the form of data recovery excavations and a capping program. The Phase 2 report shall contain a confidential appendix with a map showing a 50-foot buffer zone around the CA-SBA-52 burial area, defined as the UCSB archaeological units that have yielded human remains and immediately adjacent areas that, based on the archaeologist's professional judgment, have a relatively high probability of containing additional burials.

The report shall also incorporate results of archaeological excavations relevant to the CA-SBA-52 burial area (i.e., UCSB field class activity). The final Phase 2 technical report, archaeological collections, field notes, records, photographs and other associated documentation shall be permanently curated at the UCSB Repository for Archaeological Collections. Such curation requirements also apply to the Extended Phase 1 project report (Wilcoxon, 1999) and its associated collections, field notes, etc.

Mitigation Measure ARCH-1.2. Utility lines requiring trenches through intact archaeological deposits shall be co-located to the extent allowed by code to minimize the number of trenches and magnitude of direct impacts.

Mitigation Measure ARCH-1.3. Direct impacts to significant archaeological deposits that cannot be avoided by redesign or by capping, shall be mitigated by completing a preconstruction Phase 3 data recovery excavation program to recover, analyze, and document a representative sample of the deposits, pursuant to City Cultural Resource Guidelines, and funded by the applicant. Sampling intensity and methods shall be determined by a City-qualified archaeologist and shall be reviewed and approved by the City of Goleta after the City has reviewed the final Phase 2 report and the project's Final Tract Map and grading plan, including all trenching locations. The data recovery program shall utilize hand excavated units to intensively investigate moderate and high density deposits, and shall also include other methods needed to adequately investigate low density areas and document spatial patterning within the sites. A Native American monitor shall observe all field excavations, and shall be funded by the applicant.

The Phase 3 program shall be documented in a draft and final report reviewed and approved by the City of Goleta. Pursuant to City Cultural Resource Guidelines, the final report, archaeological collections, field notes, and other standard documentation shall be permanently curated at the UCSB Repository for Archaeological Collections.

Mitigation Measure ARCH-3. In areas where proposed development, including structures or pavement, would be placed on top of significant archaeological site areas, an archaeological site capping plan shall be prepared by a City of Goleta-qualified archaeologist in order to ensure that previously undisturbed cultural deposits are preserved intact. The capping plan shall specify that soil disturbances, including foundations and/or scarification, be limited to within the depth of proposed fill layers, or to previously disturbed soil horizons as defined in the project Extended Phase 1 archaeological investigation. The capping program shall be consistent with typical goals, objectives, and methods recommended by the National Clearinghouse for Archaeological Site Stabilization, a division of the Center of Archaeological Research at the University of Mississippi. All materials used as fill shall be cultural sterile (i.e., contain no archaeological materials), chemically neutral, and reinforced by an appropriate geotextile (filter cloth). A City of Goleta-qualified archaeologist and a Native American representative funded by the applicant shall monitor placement of the fill over the archaeological site.

The capping plan shall include the following stipulations:

a. Fill covering archaeological site areas shall be sufficiently deep to avoid or minimize direct impacts from installation of utilities, light standards, irrigation lines, and other infrastructure.

b. The perimeter of the fill and locations of previous archaeological excavation units, discrete artifact and ecofact concentrations, archaeological features, and modified artifacts such as tools, tool fragments, ornaments, and features noted prior to and after scarification shall be recorded with Digital Global Positioning System (DGPS) equipment and carefully plotted on construction plans; DGPS equipment shall be used to establish bench marks to provide locational access to the site at any time in the future.

c. Scarification and mechanical removal and associated ground disturbance shall be limited to previously disturbed soil horizons or limited to areas where the intact cultural deposits are buried too deep to disturb. Removal of trees or other large plants or objects shall be conducted by hand in areas containing intact cultural deposits.

d. Fill pH shall be within one point of the archaeological deposits and, as noted above, shall be culturally sterile (i.e., contain no archaeological materials).

e. The first layer of fill shall be 6-12 inches in thickness and placed in a manner so that it shall always be spread ahead of the heavy equipment to distribute the weight. The initial layer and all subsequent layers shall be covered by an appropriate filter material such as geotextile mat that minimally meets or exceeds standards established by Caltrans or the American Public Works Association "Greenbook."

Mitigation Measure ARCH-4. Intact areas of CA-SBA-52 and -53 that would be capped by protective fill and that have not been investigated and adequately documented by previous Phase 2 testing, including but not limited to, areas beneath and immediately surrounding proposed Building 8, shall be subject to a Phase 3 data recovery program funded by the applicant. The program shall be sufficient to characterize the archaeological data that would be inaccessible to future research, and shall contain the following:

a. Surface collection of artifacts (unmodified shellfish remains excepted).

b. The excavation, detailed analysis, and documentation of a sample of cultural deposits to characterize the nature of the deposits that would be buried under fill. Sampling intensity of the characterization study shall be calculated minimally as one 1 x1 m test unit every 1600 square m of intact deposit to be covered by fill. Additional excavations shall be required if any features or discrete artifact or ecofact concentrations are discovered during scarification and vegetation removal. All archaeological excavations shall be monitored by a Native American observer funded by the applicant. Results of the study shall be incorporated into the project's Phase 3 Data Recovery Technical Report.

c. Curation of the excavated sample shall occur as specified in Mitigation Measure ARCH-1.3.

Mitigation Measure ARCH-5. All earth disturbances within 100 feet of the recorded archaeological site boundaries, including scarification and placement of fill, shall be monitored by a City of Goleta-qualified archaeologist and a Native American representative funded by the applicant, pursuant to City Archaeological Guidelines.

Mitigation Measure ARCH-6. A preconstruction workshop shall be conducted by a City-qualified archaeologist and a local Native American representative. Attendees shall include the applicant, observer, construction supervisors, and heavy equipment operators to ensure that all parties understand the cultural resources monitoring program and their respective roles and responsibilities. All construction and/or landscaping personnel who would work on the site during any phase of ground disturbance in archaeologically sensitive portions of the project area, shall be required to attend the workshop. The names of all personnel who attend the workshop shall be recorded and the personnel shall be issued hardhat stickers denoting that that have received workshop training. This workshop shall be videotaped and shown to any new employees or subcontractors that may be needed during ground-disturbance construction activities. Names of newly trained personnel shall be recorded and issued appropriate hardhat stickers.

The workshop shall review the types of archaeological resources that may be uncovered; provide examples of common archaeological artifacts and other cultural materials to examine; describe why monitoring is required; what makes an archaeological resource significant; identify monitoring procedures; what would stop construction and for how long; describe a reasonable worst-case resource discovery scenario (i.e., discovery of intact human remains or an unknown intact substantial midden deposit); and describe reporting requirements and the responsibilities of the construction and supervisor and crew.

The workshop shall make attendees aware of prohibited activities, including vehicle use in protected areas coordinated by a City-qualified archaeologist and Native American representatives, and include potential Native American monitors to make construction works and unauthorized collecting of artifacts that can result in impacts on cultural resources.

Mitigation Measure ARCH-7. Portions of the proposed trail bordering the recreation/greenbelt buffer within the vicinity of archaeologically sensitive areas shall be eliminated. To reduce public access to this area, the remaining trail segment adjacent to the burial area shall be moved a minimum 25 feet. Shallow-rooted shrubbery (less than 12-inches deep) shall be planted along the eastern edge of the trail to discourage public access to the burial area.

Mitigation Measure ARCH-8. Direct and indirect impacts to the CA-SBA-53 burial area during project construction and operation shall be avoided to respect Native American heritage concerns and ensure complete preservation of the resource. This shall be accomplished by the following:

a. A 50-foot buffer around the burial area and associated archaeological deposits shall be temporarily fenced with chain link or other City of Goleta-approved material that is flagged with color or other material authorized by the City of Goleta to prevent vehicular access during construction. Similar fencing procedures shall be implemented to prevent equipment or material staging activities from occurring on top of or near significant surface archaeological deposits that would not otherwise be affected by project construction.

b. Only shallow-rooted vegetation (less than 12-inches deep) shall be planted within 50 feet of the burial area, as defined in the Phase 2 report (Wilcoxon, 2000). The area shall be capped with a thin layer of appropriate fill material and if re-vegetated, only with shallow-rooted ground cover as defined above. Irrigation line trenching shall be avoided in this area, or if needed, shall be placed within proposed fill soils to prevent trenching disturbances into the archaeological deposit in the burial area.

c. The CA-SBA-53 burial area including a 50-foot buffer area shall be incorporated into the project design as "Unbuildable Open Space." Existing vegetation in this area shall either be maintained at a height that obscures the ground surface or it shall be seeded with other shallow-rooted vegetation consistent with the project landscaping plan.

Mitigation Measure ARCH-10. The World War II ammunition storage building and Cold War Flight Physics Range Building shall be photographed and documented (measured drawings) by a City-qualified architectural historian. The documentation shall be completed consistent with professional standards for archival presentation to the Goleta Historical Society and University of California, Special Collections Library.

Findings

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City of Goleta hereby finds that potentially significant impacts to archaeological resources are substantially reduced by the above mitigation measures. Specifically, the measures would provide for appropriate additional archaeological investigation, adequate capping programs, adequate monitoring during grading and construction, relocation of a trail segment in order to protect archaeological resources, provision of adequate buffer areas, use of appropriate landscaping, and photodocumentation of historic resources. These measures are considered feasible and enforceable and have been demonstrated on other projects to be effective. They will be incorporated as conditions of approval and would lessen the significant environmental effects to a less than significant level.

BIOLOGICAL RESOURCES

Impact Summary and Facts Supporting the Impact Finding

Impact BIO-1. Short and long-term impacts of pollutant discharges into wetlands would potentially occur. (PS)

Impact BIO-2. Loss of three healthy oaks trees would occur. (PS)

Impact BIO-3. Site development would result in long-term wetland habitat loss and degradation. (PS and CMLTV)

Impact BIO-4. Grading for the Wetland Restoration Plan would occur within the boundaries of mapped wetlands and would have a short-term impact on some existing wetland habitat and botanical resources. (PS)

Impact BIO-5. Development of proposed Building 10 would be within 50 feet of CDFG Reserve and associated wetland and wetland-transition habitats. (PS)

Impact BIO-6. Potential loss of local populations of southern tarplant and slender aster could occur. (PS)

Mitigation Measure Summary

Mitigation Measure BIO-1.1. Best available erosion and sediment control measures shall be implemented during grading and construction. Best available erosion and sediment control measures shall include but not be limited to the use of sediment basins, gravel bags, silt fences, geo-bags or gravel and geotextile fabric berms, erosion control blankets, coir rolls, jute net, and straw bales. Temporary construction fencing with material satisfactory to the City of Goleta shall be installed to indicate the grading limits in the field to minimize disturbance to adjacent habitats.

Drainage channel inlets shall be protected from sediment-laden waters by use of inlet protection devices such as gravel bag barriers, filter fabric fences, block and gravel filters, and excavated inlet sediment traps. Sediment control measures shall be maintained for the duration of the grading period and until graded areas have been stabilized by structures, long-term erosion control measures, or landscaping.

Mitigation Measure BIO-1.2. During construction, washing of concrete, paint, or equipment, as well as the parking, maintenance, and refueling of equipment, shall occur only in areas where polluted water and materials can be contained for subsequent removal from the project site. Wash water shall not be discharged to the storm drains, street, drainage ditches, creeks, or wetlands. Areas designated for washing functions shall be located at least 100 feet from any storm drain, water body, or sensitive biological resources. The location(s) of the washing area(s) shall be clearly designated at the construction site with signs.

Mitigation Measure BIO-1.3. A permanent biofilter/bioswale system shall be constructed to treat storm water runoff from the site. The biofilter/bioswale system shall be designed by a registered civil engineer specializing in water quality or other qualified professional to ensure that the retention time of water and the plants selected are adequate to reduce concentrations of the target pollutants. Where feasible, local plant sources (i.e., collected from the watershed or propogated from cuttings or seed collected from the watershed) shall be used in the biofilter. Invasive plants shall not be used in the biofilter. Biofilters shall not replace existing riparian vegetation or native vegetation unless otherwise approved by Planning and Environmental Services.

Mitigation Measure BIO-2. The three healthy oak trees to be removed shall be replaced on a 10:1 basis with minimum 1-gallon size saplings, grown as feasible from seed obtained from the same watershed as the project site. The 30 replacement oak tree saplings shall be incorporated into the project landscape plan in clusters in the upland areas surrounding the restored wetland habitat consistent with the Final Wetland Restoration Plan, to enhance their habitat value to wildlife. All saplings shall be irrigated by a drip irrigation system with a timer. Trees shall be irrigated and maintained until established (minimum five years). The plantings shall be protected from predation by wild and domestic animals, and from human interference by the use of staked fencing and gopher fencing during the maintenance period.

Mitigation Measure BIO-3.1. The applicant shall submit a Final Wetland Mitigation Plan to address project-generated impacts on wetland resources. The Mitigation Plan shall be prepared by a City-approved qualified biologist or restoration ecologist. The Mitigation Plan shall include a Revised Final Wetland Restoration Plan to restore and revegetate all wetland areas disturbed by construction of project improvements. Where wetlands are permanently lost to development, the plan shall include provisions for the enhancement (restoration and/or revegetation) of onsite wetlands to achieve a minimum 3:1 replacement ratio to mitigate unavoidable wetland losses.

New wetland habitats shall be created by grading and revegetating existing non-wetland areas, as defined in Figure 4.4-2. The new restoration shall be located so it is in a currently disturbed area, not an area that has existing wetland or native upland biological benefits. Figure 4.42 shall be revised to add the existing habitat polygons to ensure that the restoration (a) shall connect with existing wetland resources; (b) shall replace existing disturbed upland habitat; and (c) is feasibly located for long term success. Proposed new wetland habitat shall be planted as far as feasible from the proposed recreational trail, in particular, adjacent to Los Carneros Road north of Cabrillo Park Drive. Additionally, the Final Wetland Restoration Plan shall be revised to include, but not be limited to, the following:

a. The date prepared, author, and revision dates.

b. The project description.

c. The site description and past use.

d. Discussion of vegetation and any special status plant species in the vicinity of disturbance sites.

e. Discussion of the amount of vegetation lost.

f. Objectives.

g. Measures for protection of resources during construction.

h. Site preparation methods.

i. Identification of suitable locations for wetland and buffer restoration/enhancement including planting, including the oak trees required in transplanting, and hydroseeding methods. The buffer zone shall be planted with native wetland-upland transitional vegetation coastal sage shrubs and plants that occur on the margins of Goleta Slough-area wetlands.

j. A list and number of plants and seed mixtures (lbs/acre) to be used. The seed stock used should be collected from the adjacent CDF&G Reserve if feasible. If seed quantities are not available, seed collection shall be conducted within the local region limited to the South Coast area.

k. Irrigation requirements.

l. Weeding requirements and list of non-native species to be removed and methods for removal.

m. Provisions for short-term and long-term maintenance with performance criteria to be implemented by a qualified biologist or restoration ecologist.

n. Establishment of performance securities and a monitoring period of at least five (5) years.

o. Detailed maps illustrating restoration areas and conservation easements, if applicable.

p. Cost estimate to implement all planning, construction, and other phases of the restoration efforts, including maintenance and monitoring periods.

Mitigation Measure BIO-3.2. Two types of performance securities to ensure installation and maintenance of the required revegetation and restoration plans, including but not limited to, the oak tree replacement and wetland restoration, shall be posted prior to tract map recordation. One type shall be equal to the value of installation and/or replacement of all required items; the other shall be equal to the value of maintenance of the items for the required maintenance period of five (5) years. The amounts shall be agreed to by the City of Goleta. The installation security shall be released upon satisfactory installation of planted and/or seeded stock. If performance standards are achieved, the City of Goleta may release the maintenance security after five (5) years. If the applicant fails to either install or maintain according to plans, the City of Goleta may collect security and complete work on the property.

Mitigation Measure BIO-5.1. Building 10 and all structural development associated with proposed Building 10 shall be set back a minimum of 50 feet from the southerly property boundary. The 50-foot buffer shall be entirely landscaped with species compatible with upland wetlands, including coastal scrub and alluvial scrubland vegetation.

Mitigation Measure BIO-5.2. The landscape plan for the area along the southern property boundary, including between proposed Building 9, 10 and the Building 6 parking area and the CDFG Reserve boundary to the south, shall be revised to include shrub species reaching heights over 15 feet that are compatible with the proposed coastal scrub and alluvial scrubland vegetation, to maximize screening of the proposed structures and parked cars and to enhance the buffer adjacent to the wildlife habitat offsite.

Mitigation Measure BIO-6. Prior to grading, planting, or weeding in the eastern lowland area, a qualified botanist shall flag locations of slender aster for avoidance or, if avoidance is not feasible, for salvage and relocation in close proximity. Since the local population occurs within delineated wetland areas that are largely preserved in the project design, avoidance is feasible. Standing plants and topsoil shall be salvaged late in the growing season from any areas where impacts cannot be avoided (e.g., adjacent to Los Carneros Road) and used to seed areas of wetland restoration as identified in the revised wetland restoration plan (URS, 2002). Persistence of a local population of slender aster within the eastern lowland shall be required and will be addressed as part of the project monitoring plan (URS, 2002).

To mitigate the unavoidable loss of individuals and habitat of southern tarplant in the western part of the site, this species shall be planted into a buffer transition zone surrounding the existing and restored wetland areas of the eastern lowland. To achieve this, seed shall be harvested from existing plants during the summer and fall and raked into the transplant areas prior to construction. Persistence of a local population of southern tarplant within the eastern lowland shall be required and will be addressed as part of the project monitoring plan (URS, 2002).

Findings

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City of Goleta hereby finds that potentially significant impacts to biological resources are substantially reduced by the above mitigation measures. Specifically, these measures would provide for protection of biological resources during grading and construction, treatment of storm water runoff, replacement of oak trees, protection, replacement, and enhancement of wetland resources, appropriate buffers, and protection of the southern tarplant and slender aster. These measures are considered feasible and enforceable and have been demonstrated on other projects to be effective. They will be incorporated as conditions of approval and would lessen the significant environmental effects to a less than significant level.

FIRE PROTECTION

Impact Summary and Facts Supporting the Impact Finding

Impact FIRE-1: The proposed project would increase non-residential development onsite and the demand for fire protection in the area. (PS and CMLTV)

Mitigation Measure Summary

Mitigation Measure FIRE-1.1. A Fire Protection Plan shall be implemented to minimize the potential risk of fire. The plan shall include the following:

a. Building materials for all structures including storage facility fences and accessory structures shall be constructed of fire resistant materials.

b. County Fire Department Class A or B roofing (e.g., non-combustible tile or asphalt composite shakes) shall be used on all structures.

Mitigation Measure FIRE-1.2. The applicant shall provide an adequate number of fire hydrants as determined by the Fire Department. Provisions for adequate water pressure for hydrants and sprinklers shall be made by the project applicant.

Mitigation Measure FIRE-1.3. The applicant shall provide adequate structural access and include all-weather surface roads.

Findings

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City of Goleta hereby finds that potentially significant impacts associated with fire protection are substantially reduced by the above mitigation measures. Specifically, these measure would provide for adequate fire protection for future development and uses. These measures are considered feasible and enforceable and have been demonstrated on other projects to be effective. They will be incorporated as conditions of approval and would lessen the significant environmental effects to a less than significant level.

GEOLOGIC RESOURCES

Impact Summary and Facts Supporting the Impact Finding

Impact GEO-1. Project grading would result in a short-term increase in the amount of soil exposed to wind and water erosion. (PS)

Impact GEO-3. The proposed project site contains saturated, granular sediment layers that are susceptible to liquefaction in the event of a moderate nearby earthquake. (PS)

Impact GEO-4. Damage to foundations, fill slopes, utilities, and other associated facilities could result from expansive soil characteristics at the project site. (PS)

Impact GEO-5. Damage to foundations could result from compressible soils known to be present in the eastern portion of the proposed project site. (PS)

Mitigation Measure Summary

Mitigation Measure GEO-1.1. A grading and erosion control plan shall be designed to minimize erosion and shall include the following:

a. Best management practices (BMPs), such as temporary berms and sedimentation traps, silt fencing, straw bales, and sand bags, shall be installed in association with project grading to minimize erosion of soils and sedimentation in the storm drains that connect the site to Goleta Slough. The BMPs shall be placed at the base of all cut and fill slopes and soil stockpile areas where potential erosion may occur and shall be maintained to ensure effectiveness. The sedimentation basins and traps shall be cleaned periodically and the silt shall be removed and disposed of in a location approved by the City of Goleta.

b. Nonpaved areas shall be revegetated or restored (i.e., geotextile binding fabrics) immediately after grading and installation of utilities, to minimize erosion and to reestablish soil structure and fertility. Alternative materials rather than reseeding (e.g., gravel) may be used subject to review and approval by Planning and Environmental Services and Community Services.

c. Runoff shall not be directed across exposed slopes.

d. Energy dissipaters or similar devices shall be installed at the end of drain pipe outlets to minimize erosion during storm events.

e. Grading shall not occur during the wet season (November 1 – April 15) unless erosion control devices acceptable to the City of Goleta are implemented. Erosion control measures shall be identified on an erosion control plan and shall prevent runoff, erosion, and siltation.

f. Site grading shall be completed such that permanent drainage away from foundations and slabs is provided and so that water shall not pond near proposed structures or pavements.

Mitigation Measure GEO-1.2. The following development standards shall apply to the grading and construction portion of this project:

a. All grading and earthwork recommendations by Padre Associates (1999), including any updates, shall be incorporated into the final project design, including the final grading plan. All grading activities shall be supervised by a Registered Civil Engineer or Certified Engineering Geologist.

b. The applicant shall submit the final grading plan and drainage plan with the Final Development Plan/Tract Map application. These plans shall include measures to prevent erosion and sedimentation into storm drains that empty into Goleta Slough.

c. Within the footprint of proposed buildings and foundations, and extending to a minimum distance of 5 feet beyond the foundation footprint, soils shall be overexcavated to a depth of 4 feet below existing grade, or 3 feet below bottom of foundation (whichever is deeper), to prevent foundation damage due to compressible soils. It is possible that the proposed overexcavation of the building areas would expose a soft, yielding, and wet subgrade that would require stabilization prior to fill placement.

d. Foundations shall be constructed to compensate for possible liquefaction-induced settlement of 3 to 4 inches, as well as any effects of compressible soils. Additional geotechnical analyses shall be completed in association with proposed foundation construction subsequent to final project design to re-evaluate recommendations provided by Padre Associates (1999).

e. Minimum foundation requirements for medium expansive soils and the proposed building types, as defined by the UBC, shall be considered as minimum requirements for foundation and slab-on-grade design. Building areas shall be backfilled with non-plastic, low expansion soils to mitigate the potential effects of expansive soils.

Findings

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City of Goleta hereby finds that potentially significant impacts associated with geologic processes are substantially reduced by the above mitigation measures. Specifically, these measures would provide for erosion control during grading and application of appropriate engineering standards to future development. These measures are considered feasible and enforceable and have been demonstrated on other projects to be effective. They will be incorporated as conditions of approval and would lessen the significant environmental effects to a less than significant level.

HAZARDOUS MATERIALS/RISK OF UPSET

Impact Summary and Facts Supporting the Impact Finding

Impact HAZ-1. An unregulated, former dairy farm trash dump would be encountered during grading and construction. (PS)

Impact HAZ-2. Grading and construction activities could disturb remediation and infrastructure. (PS)

Impact HAZ-3. Proposed construction activity could encounter previously unidentified soil and/or groundwater contamination. (PS)

Impact HAZ-4. Surface water quality could be adversely affected by ordinary use or spills of hazardous materials used during demolition, construction activities, and facility operations. (PS)

Impact HAZ-5. Project operation could result in the release of hazardous materials due to storage and use of these substances. (PS)

Impact HAZ-6. Project construction could result in exposure of buried and unexploded ordnance. (PS)

Mitigation Measure Summary

Mitigation Measure HAZ-1.1. All refuse associated with the unregulated, former dairy farm trash dump shall be completely removed during construction of the bioswale located east of Building 5. Such removals shall be conducted under review and approval by the Santa Barbara County Public Health Department consistent with California Code of Regulations (CCR) Title 27 requirements for cleanup of unregulated solid waste.

Mitigation Measure HAZ-1.2. A monitor trained in identification of contaminated soil shall be present for at least part of each day during site grading excavations, to determine if previously unidentified contaminated soil has been encountered. Such monitoring shall also be included during removal of refuse in the former dairy trash dump. The monitor shall make this determination based on visual signs of discolored soil, olfactory indications, dialogue with grading contractors, and/or positive readings on a photoionization detector or organic vapor analyzer. The monitor shall be current with respect to Cal OSHA 40-hour training for hazardous materials.

Mitigation Measure HAZ-2. Construction activity shall avoid all areas undergoing remediation, including remediation infrastructure (e.g., extraction wells, monitoring wells, treatment compounds).

Mitigation Measure HAZ-3.1. The contractor shall prepare a contingency plan addressing the response requirements in the event that previously unidentified contaminated soil and/or groundwater is encountered during construction. The plan shall include, but not be limited to, provisions for encountering potentially contaminated soil in the unregulated, former dairy trash dump, limiting access to the contaminated area to personnel properly trained in the handling of hazardous waste, treatment, and/or disposal of contaminated waste, and notification of appropriate regulatory agencies, including the State Department of Toxic Substance Control (DTSC) and Santa Barbara County FPS, and Santa Barbara County Public Health Department.

Mitigation Measure HAZ-3.2. The contractor shall prepare a construction Health and Safety Plan addressing the emergency response requirements in the event of an accidental release of hazardous materials, hazardous waste, or petroleum waste that details the potential hazards, personnel training requirements, and personnel protective equipment. This plan shall also include provisions for the potential accumulation of explosive methane gas, resulting from buried solid waste at the former dairy trash dump.

Mitigation Measure HAZ-4.1. To minimize pollutants impacting downstream water bodies or habitat, storm drain filters/inserts, inline clarifiers, or separators shall be installed in the project area storm drain inlets and/or paved areas. The filters/inserts shall be maintained in working order.

Mitigation Measure HAZ-4.2. During construction, washing of concrete trucks, paint, equipment, or similar activities shall occur only in areas where polluted water and materials can be contained for subsequent removal from the site. Wash water shall not be discharged to the storm drains, street, drainage ditches, creeks, or wetlands. Areas designated for washing functions shall be at least 100 feet from any storm drain, water body, or sensitive biological resources. The location(s) of the washout area(s) shall be clearly noted at the construction site with signs.

Mitigation Measure HAZ-4.3. A pesticide, herbicide, and fertilizer maintenance plan shall be prepared that minimizes their use, particularly during the rainy season. Use of biodegradable pesticides and herbicides shall be maximized. Grasses not generally susceptible to pest disease, such as Bermuda grass, shall be planted in turf areas.

Mitigation Measure HAZ-4.4. Proposed bioswale B8 shall be reduced in gradient, such that a maximum flow rate (25-year, 24-hour storm event) of 5 cfs is achieved. Alternatively, check dams shall be placed in the channel to reduce flow velocity.

Mitigation Measure HAZ-5.1. The applicant shall develop an emergency response plan in coordination with the OES, the Santa Barbara Community Awareness and Emergency Response organization. The plan shall be updated annually to reflect potential hazards associated with specific hazardous materials used by individual tenants.

Mitigation Measure HAZ-5.2. The applicant shall prepare a Hazardous Materials Business Plan (HMBP) that includes a list of the types and quantities of hazardous materials/waste to be stored onsite, for landscaping purposes and for each commercial facility, including hazardous material building design specifications. HMBPs for each commercial facility shall also include provisions of the project emergency response plan.

Mitigation Measure HAZ-6.1. The applicant shall develop an Emergency Response Plan in coordination with the Santa Barbara County Sheriff Department.

Mitigation Measure HAZ-6.2. The applicant, in coordination with the County Sherriff Department, Explosive Ordnance Disposal Division, shall arrange for explosive experts to give construction crews and project managers an ordnance safety briefing prior to commencement of grading.

Findings

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City of Goleta hereby finds that potentially significant impacts associated with hazardous materials are substantially reduced by the above mitigation measures. Specifically, these measures would provide for adequate review and monitoring of hazardous conditions and materials, preparation of adequate contingency plans and emergency responses, control of potentially hazardous materials during construction and operation, and provision of ordnance safety measures. These measures are considered feasible and enforceable and have been demonstrated on other projects to be effective. They will be incorporated as conditions of approval and would lessen the significant environmental effects to a less than significant level.

LAND USE

Impact Summary and Facts Supporting the Impact Finding

Impact LU-1. Proposed project land uses would be potentially consistent with ALUP guidelines for development within Airport Clear Zone Safety Area 1. (PS)

Impact LU-3. Proposed exterior night lighting and building surfaces would be potentially inconsistent with ALUP guidelines that require minimizing sunlight reflection and lighting glare at aircraft during initial climb or final approach. (PS)

Impact LU-4. Restoration of the wetland area within Safety Area 1 and 2 would potentially attract large concentrations of birds that may otherwise affect safe air navigation within the area, and be an incompatible ALUP land use. (PS)

Impact LU-6. The proposed project would result in additional structures and landscaping subject to height restrictions for instrument approaches to Santa Barbara Airport Runway 7/25 conditions. (PS)

Mitigation Measure Summary

Mitigation Measure LU-1. The storage of hazardous and flammable materials as defined in FAA regulations shall be prohibited in all self-storage facilities, and shall be noted in all storage lease documents.

Mitigation Measure AES 6. Exterior nightlighting installed on the project site shall be of low intensity, low glare design, and shall be hooded to direct light downward onto the subject parcel and percent spillover onto adjacent parcels. Pole supports shall be of a darker finish to reduce glare. Building wall-mounted and pedestrian walkway lighting fixtures shall be placed at heights that would be sufficiently high to promote project safety, but low enough to limit unnecessary spill effects.

Mitigation Measure AES-7. Exterior structure window glass shall be entirely glare-resistant (i.e., tinted) to eliminate the adverse daytime effects of sun reflecting off this material.

Mitigation Measure LU-4.1. The wetland enhancement and new culvert under Los Carneros Road shall be designed so that no additional open water is created, and so that open water on the site and in the receiving wetland area on Airport property does not persist longer than it would without enhancement.

Mitigation Measure LU-4.2. Food scraps shall be cleaned up daily, and signs shall be posted to discourage feeding of birds, either intentionally or inadvertently. All trash receptacles shall be covered and wildlife-proof, and shall be placed at regular intervals around the walking/jogging trail. The Airport shall have the ability to require additional measures if necessary to reduce BASH risks.

Mitigation Measure LU-4.3. In order to prevent gulls and other flocking birds from being flushed from the ground into the air where they become BASH risk, dogs and other pets shall be kept on a leash at all times. Signs shall be posted stating this requirement and providing the phone number where violations can be reported to the local animal control office. Reports of any violations shall be forwarded to the Airport.

Mitigation Measure LU-6. The final project design and landscape plan shall be reviewed and approved by the FAA, with any minor revisions to HVAC roof placement and height, and landscape plan species along Los Carneros Road.

Findings

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City of Goleta hereby finds that potentially significant impacts associated with land use are substantially reduced by the above mitigation measures. Specifically, these measures would regulate the storage of hazardous and flammable materials, regulate the use of nightlighting and use of glare-resistant materials, regulate the occurrence of standing water, provide for trash control, require animal control, and would provide for FAA review of the project. These measures are considered feasible and enforceable and have been demonstrated on other projects to be effective. They will be incorporated as conditions of approval and would lessen the significant environmental effects to a less than significant level.

<u>NOISE</u>

Impact Summary and Facts Supporting the Impact Finding

Impact NOISE-1. Construction activity could impact residential and educational sensitive receptors within 1600 feet of the project site. (PS)

Mitigation Measure Summary

Mitigation Measure NS-1.1. Project grading, construction involving heavy equipment and power tools, and equipment maintenance shall be limited to the hours of 8:00 am to 5:00 pm, Monday through Friday. Truck and equipment access to the project site shall be limited to Hollister Avenue and Los Carneros Road. Non-noise generating construction activities such as interior painting are not subject to these restrictions.

Mitigation Measure NS-1.2. To reduce effects of construction noise below 65 dBA CNEL on sensitive receptors within 1600 feet of the project site, the applicant shall develop and implement a Construction Noise Control Plan (in consultation with an acoustician) for each phase of construction. The plan, at a minimum, shall contain the following components:

a. Identification of the Area of Construction and Preliminary Project Schedule.

b. Identification of construction activities, their specific locations, and anticipated noise levels which would be experienced at sensitive noise receptor locations within 1600 feet of the project site.

c. Description of how sound blocking or reducing measures will be used.

d. Mapped identification of the required sound blocking reducing measures with relation to sensitive receptors.

e. Notification to sensitive receptors and contiguous property owners with a preliminary construction activity schedule in advance of any and all construction activities. The construction manager's (or representative's) telephone number shall also be provided with the notification so that community concerns can be communicated.

f. Verification methods to monitor for compliance.

Findings

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City of Goleta hereby finds that potentially significant impacts associated with noise are substantially reduced by the above mitigation measures. Specifically, these measures would reduce noise during grading and construction activities. These measures are considered feasible and enforceable and have been demonstrated on other projects to be effective. It will be incorporated as a condition of approval and would lessen the significant environmental effects to a less than significant level.

PUBLIC FACILITIES

Impact Summary and Facts Supporting the Impact Finding

Impact PF-1. Construction of the proposed project would generate a substantial short-term amount of construction materials requiring disposal in solid waste facilities. (PS)

Mitigation Measure Summary

Mitigation Measure PF-1. During the construction phase of the project, the applicant shall implement the following measure to reduce solid waste generation:

a. Prior to construction, the contractor shall arrange for construction recycling service with a waste collection provider. Roll-off bins for the collection of recoverable construction materials shall be located onsite. Materials earmarked for recycling include: wood, concrete, drywall, metal, cardboard, asphalt, soil, and land clearing debris (greenwaste). Sorting of general construction debris and materials shall be done both on- and off-site in coordination with recycling/waste collection provider.

b. Contractor shall designate a person to monitor recycling efforts and collect receipts for roll-off bins and/or construction waste recycling and track the names and locations of markets for construction and demolition waste, recycling, and disposal for all materials taken off the site. All subcontractors shall be informed of the recycling plan, including which materials are to be source-separated and placed in proper bins (see materials earmarked above).

c. These construction waste-recycling measures shall be incorporated into the construction specifications for the contractor.

Findings

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City of Goleta hereby finds that potentially significant impacts associated with public facilities are substantially reduced by the above mitigation measure. Specifically, this measure would reduce construction generated waste and would maximize reuse and recycling of such materials. This measure is considered feasible and enforceable and has been demonstrated on other projects to be effective. It will be incorporated as a condition of approval and would lessen the significant environmental effects to a less than significant level.

TRAFFIC/CIRCULATION

Impact Summary and Facts Supporting the Impact Finding

Impact TR-1. The proposed project would generate additional vehicular trips that would have a potentially significant impact on roadway capacity on Storke Road north of Hollister Avenue. (PS)

Impact TR-2. The proposed project would generate additional vehicular trips that would have a potentially significant impact on roadway capacity on Los Carneros Road south of Hollister Avenue to the southerly Goleta City limits. (PS)

Impact TR-5. The proposed project would generate additional vehicular trips that would have a potentially significant impact at the Los Carneros Road/US 101 SB Ramps intersection during the PM peak hour. (PS)

Impact TR-6. The proposed project would generate additional vehicular trips that would have a potentially significant impact at the Los Carneros Road/Calle Koral intersection during the PM peak hour. (PS)

Impact TR-8. The proposed project would generate additional vehicular trips that would have a potentially significant impact at the Hollister Avenue/Coromar Drive-Cabrillo Park Drive intersection during the AM and PM peak hour. (PS)

Impact TR-9. Proposed project vehicular volumes would require installation of a traffic signal and lane improvements at the Los Carneros Road/Cabrillo Park Drive intersection. (PS)

Impact TR-12. The proposed project would generate additional vehicular trips that would have a potentially significant cumulative impact on roadway capacity on Storke Road north of Hollister Avenue. (CMLTV; w/o Phelps Road Extension)

Impact TR-13. The proposed project would generate additional vehicular trips that would have a potentially significant cumulative impact on roadway capacity on Los Carneros Road south of Hollister Avenue to the southerly Goleta City limits. (CMLTV; w/o Phelps Road Extension)

Impact TR-16. The proposed project would generate additional vehicular trips that would have a potentially significant cumulative impact at the Hollister Avenue/Coromar Drive-Cabrillo Park Drive intersection during the AM and PM peak hour. (CMLTV; w/o Phelps Road Extension)

Impact TR-17. The proposed project would generate additional vehicular trips that would have a potentially significant cumulative impact at the Storke Road/Hollister Avenue intersection during the PM peak hour. (CMLTV; w/o Phelps Road Extension)

Impact TR-18. The proposed project would generate additional vehicular trips that would have a potentially significant cumulative impact at the Los Carneros Road/US 101 SB Ramps intersection during the PM peak hour. (CMLTV; w/o Phelps Road Extension)

Impact TR-19. The proposed project would generate additional vehicular trips that would have a potentially significant cumulative impact at the Los Carneros Road/US 101 SB Ramps intersection during the PM peak hour. (CMLTV; w/o Phelps Road Extension)

Impact TR-20. The proposed project would generate additional vehicular trips that would have a potentially significant cumulative impact at the Los Carneros Road/Hollister Avenue intersection during the PM peak hour. (CMLTV; w/o Phelps Road Extension)

Impact TR-21. The proposed project would generate additional vehicular trips that would have a potentially significant cumulative impact at the Los Carneros Road/Cabrillo Park Drive intersection during the PM peak hour. (CMLTV; w/o Phelps Road Extension)

Impact TR-22. The proposed project would generate additional vehicular trips that would have a potentially significant cumulative impact on roadway capacity on Los Carneros Road south of Hollister Avenue to the southerly Goleta City limits. (CMLTV; w/ Phelps Road Extension)

Impact TR-25. The proposed project would generate additional vehicular trips that would have a potentially significant cumulative impact at the Hollister Avenue/Coromar Drive-Cabrillo Park Drive intersection during the AM and PM peak hour. (CMLTV; w/ Phelps Road Extension)

Impact TR-26. The proposed project would generate additional vehicular trips that would have a potentially significant cumulative impact at the Storke Road/Hollister Avenue intersection during the PM peak hour. (CMLTV; w Phelps Road Extension)

Impact TR-27. The proposed project would generate additional vehicular trips that would have a potentially significant cumulative impact at the Los Carneros Road/Cabrillo Park Drive intersection during the PM peak hour. (CMLTV; w/ Phelps Road Extension)

Impact TR-28. The proposed project would generate additional vehicular trips that would have a potentially significant cumulative impact at the Los Carneros Road/Mesa Road intersection during the PM peak hour. (out of jurisdiction) (CMLTV; w/ Phelps Road Extension)

Mitigation Measure Summary

Mitigation Measure TR-1. The applicant shall implement, or provide for implementation of, an additional northbound lane on Storke Road north of Hollister Avenue.

Mitigation Measure TR-2. The applicant shall implement, or provide for implementation of, widening Los Carneros Road between Hollister Avenue and the Goleta City limits.

Mitigation Measure TR-5. The applicant shall implement, or provide for implementation of, a northbound free right-turn lane on Los Carneros Road to mitigate the impacts at the Los Carneros Road/US 101 SB Ramps intersection requiring replacement and widening of the railroad overhead. The applicant shall provide funding directed to: the extension of the northbound right-turn lane approximately 600 feet to join the northbound acceleration lane at Calle Koral; traffic islands for right-turn channelization; and a bicycle signal with push-button activation to facilitate bicycle crossing at the right-turn channelization.

Mitigation Measure TR-6. The applicant shall implement, or provide for implementation of, an additional northbound through lane at the Los Carneros Road/Calle Koral intersection which would extend to the Los Carneros/US 101 SB Ramps intersection. This improvement shall allow bicycle traffic to continue north without conflicts.

Mitigation Measure TR-8. The applicant shall install traffic signals at the Hollister Avenue/Coromar Drive/Cabrillo Park Drive intersections.

Mitigation Measure TR-9. The applicant shall provide for signalizing the Los Carneros Road/Cabrillo Park Drive intersection. The signal shall be interconnected with the signals at Los Carneros Road/Hollister Avenue and Los Carneros Road/Mesa Road so that progression through the intersections could be provided if desired.

Mitigation Measure TR-12. Implementation of Mitigation Measure TR-1, would reduce the project's contribution to cumulative roadway capacity impacts on Storke Road north of Hollister Avenue.

Mitigation Measure TR-13. Implementation of Mitigation Measure TR-2, would reduce the project's contribution to cumulative roadway impacts on Los Carneros Road south of Hollister Avenue to the City limits.

Mitigation Measure TR-16. Implementation of Mitigation Measure TR-8, would reduce the project's contributions to the cumulative intersection impact at the Hollister Avenue/Coromar Drive-Cabrillo Park Drive intersection.

Mitigation Measure TR-17. Payment of GTIP traffic mitigation fees would reduce the project's contributions to the cumulative intersection impacts at the Storke Road/Hollister Avenue intersection.

Mitigation Measure TR-18. Implementation of Mitigation Measure TR-5, would reduce the project's contributions to the cumulative intersection capacity impact at the Los Carneros/US 101 SB Ramps intersection

Mitigation Measure TR-19. Implementation of Mitigation Measure TR-6, would reduce the project's contributions to the cumulative intersection capacity impact at the Los Carneros Road/Calle Koral intersection.

Mitigation Measure TR-20. Payment of GTIP traffic mitigation fees would reduce the project's contributions to the cumulative intersection impacts at the Los Carneros Road/Hollister Avenue intersection.

Mitigation Measure TR-21. Implementation of Mitigation Measure TR-9, would reduce the project's contributions to the cumulative intersection capacity impact at the Los Carneros Road/Cabrillo Park Drive intersection.

Mitigation Measure TR-22. Implementation of Mitigation Measure TR-2, would reduce the project's contribution to cumulative roadway capacity impacts on Los Carneros Road south of Hollister Avenue to the City limits.

Mitigation Measure TR-25. Implementation of Mitigation Measure TR-8, would reduce the project's contributions to the cumulative intersection impact at Hollister Avenue/Coromar Drive-Cabrillo Park Drive intersection.

Mitigation Measure TR-26. Implementation of Mitigation Measure TR-1, would reduce the project's contribution to cumulative roadway capacity impacts on Storke Road north of Hollister Avenue.

Mitigation Measure TR-27. Implementation of Mitigation Measure TR-9, would reduce the project's contribution to the cumulative intersection capacity impact at the Los Carneros Road/Cabrillo Park Drive intersection.

Mitigation Measure TR-28. The applicant shall pay traffic mitigation fees, for impacts on Los Carneros Road/Mesa Road, as determined by the City of Goleta for the project's fair share of the costs of necessary improvements through and agreement between the City of Goleta and the County of Santa Barbara. This agreement would provide the mechanism to transfer applicable fees to the other jurisdiction.

Findings

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City of Goleta hereby finds that potentially significant impacts associated with transportation/circulation are substantially reduced by the above mitigation measures.

Specifically, these measures would result in roadway and intersection improvements, and/or payment of fees towards such improvements, at: Storke Road north of Hollister Avenue, Los Carneros Road between Hollister Avenue and the Goleta City limits, Los Carneros Road/US 101 SB Ramps, Los Carneros Road/Calle Koral, Hollister Avenue/Coromar Drive/Cabrillo Park Drive, Los Carneros Road/Cabrillo Park Drive, Storke Road/Hollister Avenue, Los Carneros Road/Hollister Avenue, and Los Carneros Road/Mesa Road.

Additionally, avoiding or lessening the Los Carneros Road/Mesa Road impact is the responsibility and under the jurisdiction of the County of Santa Barbara and not the City of Goleta as per CEQA Section 15091(a)(2). The County of Santa Barbara has stated its intention to construct the required intersection improvement.
The above measures are considered feasible and enforceable and have been demonstrated on other projects to be effective. They will be incorporated as conditions of approval and would lessen the significant environmental effects to a less than significant level.

SECTION 2.0
FINDINGS REGARDING SIGNIFICANT ENVIRONMENTAL IMPACTS THAT CANNOT BE FEASIBLY MITIGATED TO A LESS THAN SIGNIFICANT LEVEL (CLASS I)

The City of Goleta finds that, based on threshold criteria for significance presented in the Final EIR and the Addendum to the EIR dated April 23, 2007, the following effects of the project will be significant and cannot be avoided or reduced to a less than significant level through mitigation. Significant and unavoidable impacts (Class I) have been identified for the following impact areas: Public Facilities (Solid Waste) and Traffic/Circulation (out of jurisdiction).

For Public Facilities (Solid Waste), mitigation measures will be adopted by the City of Goleta as conditions of project approval. These measures are fully enforceable through permit conditions but would not mitigate impacts to a less than significant level. Nevertheless, as discussed in the Statement of Overriding Considerations, these impacts are considered to be acceptable when balanced against the economic, social, ecological and other benefits as reflected in the Statement of Overriding Considerations.

For Traffic/Circulation (out of jurisdiction), mitigation measures will also be adopted by the City of Goleta as conditions of project approval. These measures are fully enforceable through permit conditions but would not mitigate impacts to a less than significant level. Avoiding or lessening these impacts is the responsibility and under the jurisdiction of the County of Santa Barbara and not the City of Goleta under CEQA Section 15091(a)(2).

PUBLIC FACILITIES

Impact Summary and Facts Supporting the Impact Finding

Impact PF-2. The proposed project buildout would generate 256.25 tons/year of solid waste, which exceeds the 196 tons/year threshold of significance. (PS and CMLTV)

Mitigation Measure Summary

Mitigation Measure PF-2. The applicant shall develop and implement a Solid Waste Management Plan for operation of all phases of development. The plan shall include, but not be limited to, the following:

a. Provision of designated space and/or bins for storage of recyclable materials including office paper, cardboard, and beverage containers within each tenant's suite.

b. Development of a plan for accessible collection of materials on a regular basis.

c. Regular composting of lawn clippings and other landscape materials;

d. Provision of a tenant/employee education pamphlet to be used in conjunction with available City, County, and federal source reduction educational materials. The pamphlet shall be provided to all tenants by the leasing/property management agency;

e. Purchase and use of materials made from recycled materials;

f. Encouragement of two-sided copying and use of reusable dishware in employee kitchen areas;

g. Inclusion of lease language requiring tenant participation in recycling/waste reduction programs, including the specification that janitorial contracts include compliance with recycling requirements; and

h. A monitoring program (annual) to ensure at least 50 percent participation in overall waste disposal, using source reduction, recycling, and/or composting programs.

Findings Regarding Mitigation Measures

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City finds that the impact stated above will be substantially lessened by the mitigation measure identified. The City further finds that in spite inclusion of the above mitigation measure as a condition of approval, impacts cannot be reduced to a less than significant level. No other feasible mitigation measures have been identified that would further reduce this impact. Despite this requirement, the proposed project would still result in significant and unavoidable public facilities (solid waste) impacts. Only a substantial reduction in the size of the project would reduce impacts to a less than significant level. The City finds that specific economic, legal, social, and other considerations make such mitigation measures infeasible. Therefore, these unavoidable significant effects are considered acceptable when balanced against the overriding benefits of the project, as set forth in the Statement of Overriding Considerations [Public Resources Code Section 21081(a)(3) and CEQA Guidelines Section 15091(a)(3)].

TRAFFIC/CIRCULATION

Impact Summary and Facts Supporting the Impact Finding

Impact TR-3, -14 and -23. The proposed project would generate additional vehicular trips that would have a potentially significant impact on roadway capacity on Los

Carneros Road south of the City limits to El Colegio Road. (out of jurisdiction) (PS and CMLTV)

Impact TR-7. The proposed project would generate additional vehicular trips that would have a potentially significant impact on the Los Carneros Road/El Colegio Road intersection level of service during the PM peak hour. (out of jurisdiction) (PS)

Mitigation Measure Summary

Mitigation Measure TR-3, -14, -23. The applicant shall pay traffic mitigation fees, for impacts on Los Carneros Road south of the City limits to El Colegio Road, as determined by the City of Goleta for the project's fair share of the costs of necessary improvements through an agreement between the City of Goleta and the County of Santa Barbara. This agreement would provide the mechanism to transfer applicable fees to the other jurisdiction.

Mitigation Measure TR-7. The applicant shall pay traffic mitigation fees, for impacts at Los Carneros Road/El Colegio Road, as determined by the City of Goleta for the project's fair share costs of necessary improvements through an agreement between the City of Goleta and the County of Santa Barbara. This agreement would provide the mechanism to transfer applicable fees to the other jurisdiction.

Findings Regarding Mitigation Measures

Pursuant to Public Resources Code Section 21081(a) and State CEQA Guidelines Section 15091(a), the City finds that the impacts stated above will be reduced by the mitigation measures identified. No other feasible mitigation measures have been identified that would further reduce these impacts. However, these impacts occur on a roadway and an intersection located within the jurisdiction of the County of Santa Barbara and not within the jurisdiction of the City of Goleta. Under Section 15091(a)(2) of the Guidelines for the Implementation of CEQA, mitigation of these impacts is the responsibility and under the jurisdiction of the County of Santa Barbara and not the City of Goleta. The County of Santa Barbara has stated its intention to construct the required roadway and intersection improvements. Adoption of a Statement of Overriding Considerations is not required.

SECTION 3.0
FINDINGS REGARDING PROJECT ALTERNATIVES

The Final EIR, 37-SB-EIR, evaluated the following alternatives for their potential to reduce or eliminate potentially significant impacts:

- Alternative 1: No Project
- Alternative 2: Extension of Phelps Road
- Alternative 3: UCSB Married Student Housing Phelps Road Extension
- Alternative 4: Offsite Alternative
- Alternative 5: Reduced Project Alternative
- Alternative 6: Reconfigured Project + Restaurant
- Alternative 7: Reconfigured Project + 15,000 SF Office/R&D

The City Council finds the following with regard to alternatives:

3.1 ALTERNATIVE 1: NO PROJECT

Under the No Project Alternative, the existing business park would not be expanded. This alternative is expected to result in the maintenance of existing buildings, with some continuing rehabilitation and upgrading of facilities. This alternative would achieve none of the project objectives and would forego all of the benefits itemized in the Statement of Overriding Considerations. For these reasons, the No Project Alternative is considered infeasible and is rejected.

3.2 ALTERNATIVE 2: EXTENSION OF PHELPS ROAD

Alternative 2, the Extension of Phelps Road, would require construction of a roadway segment across the California Department of Fish and Game (CDFG) property located adjacent to the south, within the Coastal Zone. This alignment would result in greater impacts to wetland areas than are created by the project (unmitigable because the CDFG property is located in the Coastal Zone) and has become infeasible as a result of an indication by the CDFG that it would not grant an easement or right-of-way across the property. This alternative was therefore eliminated from consideration in the Final EIR. It is therefore also considered infeasible and is rejected.

3.3 ALTERNATIVE 3: UCSB MARRIED STUDENT HOUSING PHELPS ROAD EXTENSION

Alternative 3, would provide for the extension of Phelps Road to Los Carneros Road, via Mesa Road on the northern boundary of UCSB Married Student Housing, south of the project site. This alternative would result in numerous impacts that are similar to the project as proposed. However, absent an actual future roadway alignment, it appears that impacts on wetland resources in the Coastal Zone associated with the California Department of Fish and Game property could increase. Impacts would increase from potentially significant and subject to mitigation (Class II), to potentially significant and unavoidable (Class I).

This alternative would potentially pose an impediment to project development as a result of impacts on wetland resources as well as due to the lack of existing dedicated easement or right-of-way across University of California Santa Barbara (UCSB) property. Extension of Phelps Road through UCSB property would not be consistent with the University's recently-approved Long Range Development Plan. Furthermore, implementation of this alternative would be within the responsibility and jurisdiction of another public agency. As a result, this alternative would likely not achieve project objectives and would therefore potentially forego all of the benefits itemized in the Statement of Overriding Considerations. For these reasons, the UCSB Married Student Housing Phelps Road Extension is considered infeasible and is rejected.

3.4 ALTERNATIVE 4: OFFSITE ALTERNATIVE

Alternative 4, the Offsite Alternative, would relocate the proposed development to the Bishop Ranch parcel north of US Highway 101 and east of Glen Annie Road. This property has an agricultural land use designation in the General Plan (2006) and business park development would be inconsistent with this designation. This alternative was therefore eliminated from consideration in the Final EIR. It is therefore also considered infeasible and is rejected.

3.5 ALTERNATIVE 5: REDUCED PROJECT ALTERNATIVE

Alternative 5, the Reduced Project Alternative, would reduce project structural buildout to minimize potentially significant, but feasibly mitigated impacts on archaeological, biological, and geological resources. Specifically, Buildings 8 and 11 would be eliminated, resulting in the retention of more open space around the environmentally sensitive habitat area, while minimizing development in the flood plain. Building 3 and associated parking lots would be moved to the upper northeast corner of the property, resulting in the avoidance of removal of oak trees, the avoidance of a natural border to the flood plain, the retention of a buffer around environmentally sensitive habitat area, and the avoidance of portions of an intact archaeological site. Building 10 and parking areas associated with Building 6 would be moved to create a 50-foot buffer from the southern property boundary and the California Department of Fish and Game property (wetland area).

The Reduced Project Alternative would eliminate two of the three self-storage buildings associated with the project. This is undesirable because it would eliminate the only economic use provided to the applicant within the Runway Protection Zone, which occupies a substantial portion of the property. Furthermore, inclusion of substantial self-storage square footage within the project is critical to the creation of a well-integrated business park that serves the needs of the local economy, since such self-storage facilities are designed for, and expected to serve, the high-technology businesses located onsite and at the nearby University of California at Santa Barbara, through storage of scientific equipment, records, and the like. Finally, implementation of the Reduced Project Alternative would not provide significant environmental advantages over the proposed project, since minor relocation of Building 10 and the parking lot of Building 6 can be otherwise accomplished and since the proposed project generally creates impacts on biology, open space, and recreation that can be otherwise mitigated.

The Reduced Project Alternative would reduce buildout and would therefore not achieve project objectives and would therefore forego all of the benefits itemized in the Statement of Overriding Considerations. For these reasons, the Reduced Project Alternative is less desirable than the proposed project, is considered infeasible, and is rejected.

3.6 ALTERNATIVE 6: RECONFIGURED PROJECT + RESTAURANT

Alternative 6, the Reconfigured Project + Restaurant, was identified in order to address the biological, archaeological, and water resource impacts associated with implementation of Building 10 as proposed. Under this alternative, Building 10 would be reduced by 5,000 square feet (SF) to create a 50-foot buffer from the California Department of Fish and Game (CDFG) property to the south (wetland area). To recapture lost square footage, Parcel 2 would be reconfigured to accommodate a single-story 7,500 SF restaurant with approximately 68 parking spaces. In addition, Parcel 13 would be reconfigured into four separate lots, resulting in a total of 22 lots (instead of 19 lots). This alternative would result in impacts that are similar to the project as proposed. However, the buffer area impact associated with currently proposed development within 50 feet of the CDFG wetland property would be eliminated.

The Reconfigured Project + Restaurant Alternative would achieve project objectives and would result in all of the benefits itemized in the Statement of Overriding Considerations. However, the preferred project at this time is Alternative 7, which has similar impacts and benefits (see below). For these reasons, the Reconfigured Project + Restaurant Alternative is rejected at this time, although reconsideration is provided for in the Development Agreement, subject to review and approval by the City of Goleta.

3.7 ALTERNATIVE 7: RECONFIGURED PROJECT + 15,000 SF OFFICE/R&D

Alternative 7, the Reconfigured Project + 15,000 SF Office/R&D, was identified in order to address the biological, archaeological, and water resource impacts associated with implementation of Building 10 as proposed. Under this alternative, Building 10 would be reduced by 5,000 square feet (SF) to create a 50-foot buffer from the California Department of Fish and Game (CDFG) property to the south (wetland area). To recapture lost square footage, Parcel 2 would be reconfigured to accommodate a two-story 15,000 SF office/R&D building with approximately 68 parking spaces. In addition, Parcel 13 would be reconfigured into four separate lots, resulting in a total of 22 lots (instead of 19 lots). This alternative would result in impacts that are similar to the project as proposed. However, the buffer area impact associated with currently proposed development within 50 feet of the CDFG wetland property would be eliminated.

The Reconfigured Project + 15,000 SF Office/R&D Alternative would achieve project objectives and is also the preferred alternative because it eliminates the buffer impact on the CDFG wetland property to the south, while at the same time allowing buildout of the Cabrillo Business Park Project in a manner that allows all of the benefits itemized in the Statement of Overriding Considerations. It is determined that the addition of 15,000 more square feet of research/office space will correspondingly add to the economic benefits of the project while not appreciably increasing the environmental impacts associated with the project. Alternative 7 is feasible to implement and is therefore recommended for approval.

STATEMENT OF OVERRIDING CONSIDERATIONS

The Final EIR and Addendum dated April 23, 2007 identify the following significant and unavoidable (Class I) impacts for which the City of Goleta must adopt of Statement of Overriding Considerations: Public Facilities (Solid Waste). Class I impacts were also identified for Traffic/Circulation. However, these impacts occur on a roadway and an intersection located within the jurisdiction of the County of Santa Barbara and not within the jurisdiction of the City of Goleta. Under Section 15091(a)(2) of the Guidelines for the Implementation of CEQA, mitigation of this impact is the responsibility and under the jurisdiction of the County of Santa Barbara and not the City of Goleta. Adoption of a Statement of Overriding Considerations for Traffic/Circulation is not required.

(PS) = Project Specific
(CMLTV) = Cumulative

PUBLIC FACILITIES
Impact PF-2. Solid waste generation. (PS and CMLTV)

The City Council has determined that the proposed Cabrillo Business Park project is consistent with applicable plans and policies. Having balanced the benefits of the project against potential significant and unavoidable impacts, the City Council hereby determines that these significant and unavoidable impacts are acceptable in light of the project's benefits, and that approval of the project is warranted, notwithstanding that all identified impacts are not mitigated to a less than significant level (CEQA Sections 15043, 15092, and 15093). Each benefit set forth below constitutes an overriding consideration warranting approval of the project independent of the other benefits.

General project benefits to the City of Goleta and the community include the following:

1. Enhancement of City of Goleta's Economic Base

Based on the UCSB Economic Forecast Project's report entitled the "Economic Impact of The Cabrillo Business Park" (2006), and assuming a 10 year buildout, the project would provide a total economic stimulus during the first 10 years to the local economy of $2.1 billion. After full buildout, the impact would be greater going forward.

2. Increase in Property Taxes

Based on the UCSB Economic Forecast Project's report entitled the "Economic Impact of The Cabrillo Business Park" (2006), the project would contribute an additional $8 million of new property taxes during the initial 10 years of development. Thereafter, assuming all buildings are completed, new taxes for the following year would be approximately $1 million per year, and would increase annually by 2% or greater.

3. Short- and Long-Term Employment Opportunities

The proposed project would result in the creation of temporary construction jobs as a result of project buildout. According to the UCSB Economic Forecast Project's report entitled the "Economic Impact of The Cabrillo Business Park" (2006), construction spending would contribute approximately $126 million to the economy. Long-term employment opportunities would be generated as a result of the buildout of research and industrial uses at the business park. Over the long-term, an estimated 1,458 new workers are anticipated in addition to the existing 700 employees currently working at the property. According to UCSB's study, there would be a contribution to the economy of $527 million in local earnings and wages during the initial 10 years while the project is developing and significantly more thereafter, when the project reaches full buildout.

4. Offer to Dedicate a Pedestrian Connection to Adjacent Shopping Center

The Cabrillo Business Park project Development Agreement would result in an offer by the applicant to dedicate an easement for public pedestrian access to the Cabrillo Business Park to and from the adjacent Kmart shopping center property, provided that the City is able to secure a matching offer from the adjacent property owner. The offer of easement dedication promotes pedestrian connectivity between two large commercial properties and would serve to limit the reliance upon the automobile by business park users.

5. Undergrounding of Existing Aboveground Utilities on the Western Property Boundary

The Cabrillo Business Park project Development Agreement would result in an enhanced community visual environment through the undergrounding of existing aboveground utilities located on the western property boundary.

6. Dedication of Community Services Facility

The Cabrillo Business Park project Development Agreement provides for the initial lease at a rental rate of $1/year and eventual dedication in fee of an existing building of approximately 4,000 square feet (the "Bond Building") and an associated area for outdoor storage. A tenant improvement allowance of $100,000 is also included. The facility would be for the public works functions associated with the Community Services Department, including maintenance, warehouse, and storage uses.

7. Wetland Enhancement Area

The project would result in the implementation of a wetland restoration and enhancement plan within the eastern half of the property (Parcel 15). This plan would include a detailed planting plan on a 15.77-acre parcel for zones of locally collected native wetland, wetland-transition plants within and around existing wetlands, and upland plantings consisting of alluvial scrublands, coastal sage scrub and oak savannah for buffer areas adjacent to the wetland restoration area. The plan would be consistent with the Draft Goleta Slough Ecosystem Management Plan, would provide for the installation and maintenance of vegetation, and would include a 5-year monitoring program, with the preparation of annual status reports. The plan would enhance the quality and extent of onsite wetland areas.

8. Public Access to Onsite Recreation Areas

The Cabrillo Business Park project includes an internal bike trail system as well as the following recreational facilities: benches and table areas with inlay chess and backgammon boards, two volleyball courts, two half court basketball areas, walking/jogging trails, exercise course, and nature trails. These amenities would be available to employees at all times. Passive recreational amenities (walking and biking trails, nature study) would be available to the public at all times; active recreational amenities would be available to the public during non-business hours. Parking areas would provide adequate access to these facilities. These recreational opportunities would provide a benefit to the onsite employees and the community. These recreational areas would be maintained in perpetuity by the project at no cost to the public.