

October 12th, 2012

County of Santa Barbara
Board of Supervisors

RE: Case No. 12APL-00000-00015, the appeal of the Planning Commission's September 5th, 2012 approval of Park Hill Estates V.2, Project Case No. 10TRM-00000-00001 and the adoption of the Revised Final Mitigated Negative Declaration.

Hearing Date October 16th, 2012

Agenda Item #3

Dear Chair Farr and Members of the Board,

I am a member of the San Antonio Creek Homeowners' Association and 40 year resident of the San Antonio Creek rd. neighborhood. I am opposed to the approval of Park Hill Estates v.2 10TRM-00000-0001 based on the Revised Final Mitigated Declaration.

On January 25th, 2012 the Planning Commission unanimously concluded this project cannot continue without a focused EIR in the areas of biology and fire safety. This decision was appealed to the Board of Supervisors by the applicant and ultimately ended in limbo with your board's 2-2 vote. After very minor changes to the MND and no additional environmental review a "new" project was heard and approved 3-2 by the Planning Commission on Sept. 5th, 2012.

I respectfully submit the following comments made by officials during the above mentioned hearings and ask you to approve the appeal and deny this project as proposed without an EIR.

Following are partial transcripts from the Planning Commission hearing of January 25th, 2012.

As to the adequacy of lower San Antonio Creek Rd. out of Tuckers Grove Park as a viable emergency access route, county fire stated:

Capt Pepin- "The alternate access point out of the park, very recently the department Chief and Fire Marshall have had conversations about what could be improved down there. Not sure how that (its present condition) came about, but it doesn't meet the requirements of the fire department. I was down there several times in the last week, it is really a one way road, and during an emergency, if someone was leaving the area and trying to get thru the park, and anything happened to make that congested, it is a horrible place for people to be trapped." Capt. Pepin added "Not a good escape route, although it has been used, it has a lot of potential for danger."

In response to Capt. Pepin's above comments, Planning Commission Chair Michael Cooney stated: "It is my conclusion that we can't pay attention to that particular route as addressing

the issue of safety, I think that what you are saying basically if you had an emergency situation on a one way road in bad condition, perhaps even you would be subjected to a greater danger if the fire jumped in to the park, it seems to me that we ought to wipe that off as in any way addressing the serious problem that we have. Do you agree?"

In conclusion Capt. Pepin replied: "I do agree, and that was the same feeling of the Fire Marshal this morning. Even the signage is confusing. The crash gates are not clear, it is nothing that we feel is an advantage for this project at all."

Capt. Dwight Pepin of County Fire also serves on the County's Special Problems Committee. This committee specifically deals with subdivision and development in portions of the county which require additional expert review, such as designated "high fire hazard" areas. The proposed Park Hill Estates V2 project is situated directly in the center of one of the most critical "high fire hazard" areas of the county. His comments should not be taken lightly.

Some key comments made before the final vote by Planning Commissioners at the most recent hearing of September 5th, 2012 were:

Commissioner Brown- "In many years if we had hindsight to work on foresight the county probably shouldn't have allowed any houses to be built up in this area which is all a high fire hazard area, and it sort of troubles me we didn't have that foresight but we didn't, and we moved ahead ,and we're here today."

Commissioner Brooks- "I cannot make the finding on the project even though with the possibility of this road being improved, in an emergency situation who knows what will happen." Commissioner Brooks went on to further state, "To think that there have been two fires since the one project were approved you know with neighbors support in 2007, I just can't support it knowing that this could be a problem in a fire situation."

Chair Cooney-"I am absolutely convinced that if we're to go forward with this project on the basis of the Mitigated Negative Declaration, we will be in violation of CEQA." In closing, Chair Cooney added "I'm convinced that this planning commission has the discretion and must decide on the appropriate level of environmental review. And what we did in January was to say it wasn't appropriate. The only thing that changed from that was the Board of Supervisors deadlocked on a 2-2 vote and essentially it's back to us to make that same decision again. Nothing has changed except the very limited offer that Mr. Nelson made to make some improvements to what he calls an offsite improvement, that may be enough if an environmental impact report were prepared on fire safety which begins in the negative declaration on page 45, maybe it would say that the improvement of that exit way would be sufficient to mitigate the concerns. I don't know that, I don't presume that. I am convinced however, that we have to go there and so I cannot make the finding that the negative

declaration that is presented to us today is adequate for purposes of approving this project the way it's presented"

The San Antonio Creek Rd neighbors are asking for appropriate environmental review before additional development continues in our "high fire hazard "area. Our safety during the event of an emergency should not be taken lightly. We are not NIMBYs as the applicant continues to state. We are a concerned community, shattered and traumatized by past events. For those of us still here we have managed to rebuild, but we will never forget the painful lessons learned. As Board Members, we hope you will take our safety seriously and require an EIR for Park Hill Estates v.2.

Thank you,

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