

**ATTACHMENT 9: FINAL EIR REVISION LETTER RV1**

TO: Board of Supervisors

FROM: Alex Tuttle, Planner  
Planning and Development, Development Review Division

DATE: June 14, 2012

RE: Revisions to 11EIR-00000-00002, the proposed Final EIR for the Cavaletto Tree Farm Residential Housing project (Case Nos. 01GPA-00000-00009, 01RZN-00000-00015, 08DVP-00000-00012, 09TRM-00000-00001, and 09RDN-00000-00001) to reflect revisions proposed subsequent to completion of the proposed Final EIR for the project and prior to decision-maker action (including potential certification of the FEIR)

**I. LOCATION**

The project site is located at 555 Las Perlas Drive in the Goleta Area, Second Supervisorial District.

**II. BACKGROUND**

An EIR was prepared for the Cavaletto Tree Farm Residential Housing Project (11EIR-00000-00002) to analyze the project's environmental impacts and identify project alternatives. Following completion of the proposed Final EIR, the applicant modified the proposed construction phasing of the project by adding a fifth phase and modifying the area of development and number of units within each phase. Subsequent to the Planning Commission hearings on the project and prior to review of the project by the County Board of Supervisors, a further change was made to the project in regards to circulation and access. Specifically, the project was revised to eliminate the roadway connection between the project site and Avenida Pequena and to instead terminate Christmas Tree Lane with a County Fire Department approved cul-de-sac.

The Planning Commission proposed revisions to several mitigation measures to clarify their intent and identified new conditions of approval that further reduce project impacts. As discussed below, the proposed project change, the revisions to the mitigation measures and new conditions of approval do not result in any new significant environmental impacts, and there is no increase in the severity of the impacts of the proposed project. In addition, the changes do not alter the conclusions of the EIR or affect the adequacy of the mitigation measures in reducing impacts to less than significant levels. This FEIR Revision letter (RV1) has been prepared to discuss the basis for the revisions to the Final EIR.

### **III. CLARIFICATIONS AND REVISED MITIGATION MEASURES**

#### **Traffic Circulation and Mitigation Measures**

The EIR identified significant but mitigable (Class II) impacts to public safety associated with additional traffic and new roadway connections with adjacent neighborhoods. To mitigate this impact, the EIR identified a mitigation measure (Mitigation T-3(b) Sidewalks) requiring that the sidewalks proposed along the new private road connection that serves the estate lots in the northern portion of the site be extended through the Cathedral Oaks Village subdivision to Avenida Pequena. However, since the project has been revised to eliminate this roadway connection, the impacts to pedestrian safety are avoided. As a result, this mitigation measure is no longer required and is proposed to be removed from the conditions of approval imposed on the project.

In addition, Mitigation T-1(b) has been revised to eliminate the requirement for control monitors for construction traffic to be posted on Agana and Merida drives between 7:30 and 8:30 AM on weekdays due to a new condition that requires construction traffic to access the site directly from Patterson Avenue and avoid the use of neighborhood streets. As a result, that portion of the mitigation measure is no longer applicable or needed to reduce the construction-related traffic impact to a less than significant level.

The EIR also identified a *recommended* mitigation measure to control traffic to the south of project and protect public safety, which included the installation of a stop sign on the north leg of Merida Drive/Agana Drive intersection. However, any project traffic using Merida Drive would be effectively slowed through a combination of signage, narrowed lanes, differentiated paving, and a bend in the road such that a stop sign is no longer required. As a result, this recommended mitigation measure is no longer applicable. In addition, a new condition of approval has been added to the project requiring that the applicant provide up to \$30,000 to fund traffic calming improvements that are found acceptable by the affected neighborhood in order to control traffic and protect public safety, which would have the same practical effect as a stop sign. Regardless of the use of Merida Drive, the mitigation measure is only recommended and is not required to reduce a significant impact to a less than significant level.

These modifications do not alter the conclusions of the FEIR that the residual impacts of the project on pedestrian safety associated with project-generated traffic and new roadway connections would be less than significant with mitigation.

The traffic analysis in the EIR estimated that the project would add 187 Average Daily Trips, 14 AM peak hour trips, and 19 PM peak hour trips to the new private road through the Cathedral Oaks Village subdivision, based on the assumption that the 17 upper estate lots and existing residence would likely use this roadway to connect with Avenida Pequena and Las Perlas Drive for ingress and egress. The traffic analysis assumed that approximately half of those trips would head north to Cathedral Oaks via Avenida Pequena and half would head south on Las Perlas Drive towards Patterson Avenue.

With the elimination of this access point, it is expected that these trips would be distributed to Las Perlas Drive (for trips north) and Patterson Avenue (for trips south) via Tree Farm Lane and would not use Merida Drive since it is less direct. These roadways would adequately accommodate the project traffic additions and no new significant impacts would result. Ultimately, these additional trips would still be added to Cathedral Oaks Road and Patterson Avenue consistent with the traffic volumes assumed in the EIR so impacts to those roadways would be unchanged. As such, the changes to the traffic distribution resulting from the elimination of the private access road through Cathedral Oaks Village would not change the conclusions of the EIR and mitigation measures would continue to reduce impacts to less than significant levels.

### **Fire Protection**

Elimination of the roadway connection through the Cathedral Oaks Village subdivision would eliminate one point of access into the site for emergency vehicles. However, the project would continue to offer a primary means of access from Patterson Avenue and a secondary access route to the south through Merida Drive. All public and private roadways within the project site would meet County Fire Department standards for access and the project site remains within the standard five-minute response time. The project is considered an urban infill development outside of the high fire hazard area. As a result, modifying the project by eliminating the access road through the north of the project site and instead terminating Christmas Tree Lane with a County Fire Department-approved cul-de-sac would not change the conclusions in the EIR regarding fire protection or cause a new significant impact in regards to emergency evacuation. Impacts with respect to fire protection remain significant but mitigable and no new mitigation measures are required.

### **Modified Mitigation Measures**

The Planning Commission recommended minor changes to several mitigation measures included in the Proposed Final EIR, all of which have the effect of clarifying their intent or making them easier to implement without reducing their effectiveness or adequacy in reducing potentially significant impacts to less than significant levels.

#### *Noise*

Mitigation N-1(a) Construction Timing is proposed to be modified such that construction hours be changed from between 8am and 5pm to between 7:30am and 4:30pm. This change would be consistent with the construction hour limits applicable in other areas of the County, such as Montecito. The purpose of the condition is to protect noise-sensitive uses from significant construction noise impacts. Combined with a new condition of approval directing construction traffic to enter and exit the site only from Patterson Avenue, thereby avoiding construction traffic through residential streets, the modified mitigation measure meets the same intent and would better avoid peak traffic periods. The construction-related noise impact would continue to be reduced to a less than significant level with implementation of this modified mitigation measure.

### *Greenhouse Gas Emissions*

Since the project has been revised to eliminate the parking lot adjacent to the common area amenities, Mitigation GHG-1(b) Electric Vehicle Parking, requiring the provision of an on-site electric vehicle charging station, is no longer appropriate or applicable. Regardless, this mitigation was identified as a *recommended* mitigation measure and is not required to reduce a significant impact to a less than significant level. Mitigation GHG-1(c) Design Elements is also identified as a *recommended* mitigation measure in the EIR to reduce greenhouse gas emissions. This measure is intended to provide a range of energy-conserving measures that can be incorporated into the project. However, the mitigation measure recognizes that not all of the measures may be feasible or appropriate to the specific project. Rather than requiring the applicant to “demonstrate infeasibility” to P&D if one or more of the techniques are not incorporated into the project, the language has been modified to provide for incorporation of the techniques “to the extent feasible,” which is consistent with the intent of this mitigation. Regardless, this mitigation was identified as a *recommended* mitigation measure and is not required to reduce a significant impact to a less than significant level.

### *Aesthetics/Visual Resources*

Mitigation Measure AES-10 Lighting has been modified to provide greater clarity in terms implementing the lighting standards by referring to the lighting requirements of the Eastern Goleta Valley Residential Design Guidelines. The changes do not reduce the adequacy or effectiveness of the mitigation in terms of reducing night lighting impacts to less than significant levels. The modifications to the mitigation measure are as follows:

**AES-10 Lighting.** The Applicant shall ensure any exterior night lighting installed on the project site meets the lighting guidelines of the Eastern Goleta Valley Residential Design Guidelines. The Applicant shall install timers or otherwise ensure lights are dimmed after 10 PM. Illuminating Engineering Society (IES) standards shall apply for road lighting with dark sky approved fixtures.

**PLAN REQUIREMENTS:** The Applicant shall develop a Lighting Plan for SBAR approval incorporating these requirements and showing locations, heights, and provide cut sheets of all exterior lighting fixtures showing the direction of light being cast by each fixture.

### *Biological Resources*

Mitigation Measure BIO-5(a) Habitat Restoration was modified to provide greater specificity in terms of the restoration criteria and performance standards. The changes do not alter the adequacy or effectiveness of the mitigation measure in terms of reducing the significant impact to a less than significant level. The changes to the mitigation measure are as follows:

**BIO-5(a) Habitat Restoration.** The applicant shall restore riparian habitat at a minimum ratio of 1:1 for temporary loss and 3:1 for permanent loss. For the current anticipated loss of

riparian habitat, the restoration amount would be 900 square feet for temporary losses and 780 square feet for permanent losses, for a total of 1,680 square feet (0.0386 acres) of restoration. Restoration should occur within the temporarily disturbed area adjacent to the reconstructed storm drain outlet, with the additional restoration activity to occur within either the bioswale, detention basin, or other adjacent sections of the creek in need of restoration or enhancement. The Applicant shall submit for P&D approval a Restoration Plan for these areas prepared by a P&D-qualified biologist and including the following components:

- a. Restoration plantings will replicate the habitat disturbed (or in the case of disturbed habitats dominated by non-native species, replaced with suitable native species). All plantings shall have a minimum 80% survival by species and shall attain 75% cover of baseline at the end of three years and 90% cover of baseline after 5 years of project life. No woody invasives shall be present and herbaceous invasive species shall not exceed 5 percent cover.
- b. Native twining vines (such as California Wild Rose [*Rosa californica*], Wild Blackberry [*Rubus ursinus*], Creek clematis [*Clematis ligusticifolia*]) shall be planted at the edge of the riprap mat to aid in providing some cover for this area.
- c. Species shall be from locally obtained plants and seed stock. “Local” shall be defined as from the southern coastal plain of Santa Barbara County with preferences from South Coast watersheds, particularly the San Jose Creek watershed. Any deviation from approved prescriptions for revegetation, including materials to be used and methods of application, shall be reviewed and approved by the County of Santa Barbara.
- d. The Restoration Plan shall include the locations, amounts, size, and types of plants to be used.
- e. Planting and weed control methods, irrigation methods and timing shall be discussed in the Restoration Plan. All planting shall be done after the first rains of the winter season (generally October 1-February 1) to take advantage of the availability of water, dormancy of foliage, and rooting period to ensure optimum survival.
- f. Irrigation shall be provided when natural moisture conditions are inadequate to ensure survival of plants. Irrigation shall be provided, if needed, for a period of at least 2 years from planting and shall be phased out during the fall/winter of the 2<sup>nd</sup> year unless conditions dictate otherwise.
- g. Non-native, weedy species (to include vinca, Arundo, Cape Ivy, and Kikuyu) that are considered to be problematic shall be identified in the Restoration Plan and shall be removed from the restoration area and areas immediately adjacent to it during installation and periodically removed from the restoration area during the maintenance period to aid in meeting the success criteria.
- h. To protect the restoration site from damage during establishment, the restoration area shall be fenced and staked a minimum of every six feet or as necessary to keep the fencing from collapsing.

### *Transportation/Circulation*

The timing for implementation of Mitigation T-2(a) Restriping and Mitigation T-2(b) Ramp Metering has been modified to tie the required implementation of these mitigation measures

more closely to the point at which the project triggers the significant impact. However, the scope of the mitigation measures has not changed and they would still be implemented before the project is completed and before the project generates sufficient traffic trips so as to significantly impact the affected intersection. As a result, the mitigation measures' effectiveness in reducing the significant impact on the South Patterson Avenue/Highway 101 southbound on-ramp remains unaltered.