

LAW OFFICE OF MARC CHYTILO

ENVIRONMENTAL LAW

September 4, 2010

Santa Barbara County Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101

By email to sbcob@co.santa-barbara.ca.us

RE: 2010 UCSB LRDP Mitigation Implementation and Settlement Agreement; Agenda Item 1

Dear Chair Wolf and Honorable Members of the Board,

This letter is submitted by the Law Office of Marc Chytilo on behalf of Sustainable University Now (SUN), a coalition of over 12 community groups. **It is imperative that the County not finalize or approve the mitigation agreements on September 7th**, for the following reasons.

By approving the mitigation agreements the County is signing away its rights under CEQA and other statutes to challenge the LRDP, including on critical resource issues not incorporated into the mitigation agreements, such as water and sanitation. MTD, GWD and GSD have identified significant unmitigated impacts from the LRDP that remain unresolved. Moreover SUN is currently negotiating with UCSB to better integrate principles of sustainability into the LRDP, particularly in the areas of transportation, protection of natural resources, water, housing, energy and climate change. By signing the mitigation agreements on September 7th, the County may inadvertently foreclose UCSB's later adoption of more sustainable means of addressing the significant impacts of the LRDP that arise from these negotiations. We urge that final approval of the agreements be deferred until UCSB has settled differences with GWD, GSD, MTD and SUN.

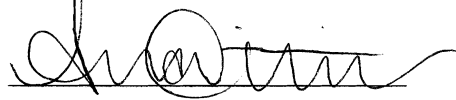
The County's mitigation agreements were made available the Thursday before a holiday weekend, effectively precluding review and comment on the documents. Given the far reaching and long lasting consequences of the proposed mitigation for the LRDP, it is critical that the public and other resource agencies have a real opportunity to weigh in on these agreements. Public participation at this stage is particularly essential considering that UCSB did not fulfill its responsibility under CEQA to include specific mitigation measures in the draft EIR so that the public and government agencies could review and comment on the adequacy of those measures. In the limited time we've had to review the traffic and housing mitigation agreement (we were unable adequately review the others), we ask that you consider strengthening the mitigation agreement in the following ways, and revise the remainder of the agreement as necessary to accord with these changes:

§ 3.3. Do not allow UCSB plan to let enrollment out step available housing by 1,000 or any number.

§ 4.2 (d-e). Identify a non-exclusive list of specific alternative transportation improvements that will alleviate traffic impacts and prioritize funding those improvements *before* roadway expansion.

We look forward to working with the County on further refining the mitigation agreements to achieve what we believe are mutual goals of ensuring that UCSB's expansion set a positive example of how 21st century institutions can grow within their resources and respect surrounding communities.

Sincerely,


Ana Citrin

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