Public Comment

A-36



From: Krishna Flores
To: sbcob; Brianda Negrete

Cc: Bob Nelson; Supervisor Das Williams; Hartmann, Joan; Laura Capps; Lavagnino, Steve

Subject: Re: February 28 Item A-36, Legacy Estates/Village Square

Date: Thursday, February 23, 2023 5:42:40 PM

Attachments: BoardLetterFeb28.pdf

Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.

Honorable Supervisors,

Re: File Reference No. 2300183 (Final Map of Tract No. 14,608, Legacy Estates/Village Square, 02TRM-00000-00007) February 28, 2023 Agenda Item A-36 re: Agreement for Construction and Dedication of Flood Control Improvements for Village Square Subdivision

I am writing in objection to the approval of item A-36 and request that the Board DENY approval of this item.

The Board took action to approve tract map No.14,608 BEFORE the applicant secured an executed maintenance agreement with Santa Barbara County Flood Control and Water Conservation District. This is in direct conflict with the conditions of approval outlined in the Legacy EIR, Section 4.6. All imposed conditions of approval were NOT satisfied at the time the tract map was approved.

The Flood Control Agreement you are being asked to approve today, between the Developer and Santa Barbara County Flood Control & Water Conservation District, needed to be approved and executed PRIOR to the final recordation of Tract Map No. 14,608.

"Legacy Estates Tract Map Tiered EIR 4.6.2 Drainage/Flooding and Water Quality, Impacts and Mitigation Mitigation Measures

The following measure incorporates applicant-proposed drainage plan improvements that have been reviewed and approved by Santa Barbara County Flood Control District.

WQ/FLOOD-1 Prior to recordation of the final map, the applicant shall enter into a maintenance agreement with Santa Barbara County Flood Control District to assure perpetual maintenance of all on- and off-site private drainage improvements. Alternatively, the applicant shall demonstrate to the satisfaction of P&D that adequate provisions exist for the long- term maintenance (i.e., life of the project) of all flood control improvements related to the project. This shall occur through the recordation of Conditions, Covenants, and Restrictions (CCRs) or similar private maintenance agreement acceptable to P&D and County Counsel or by the County's acceptance of said flood control improvements.

Plan Requirements and Timing: The applicant shall submit a final drainage plan to SBCFCD and P&D for review and approval prior to final map recordation.

MONITORING: P&D shall verify adequacy of the private maintenance agreement or verify acceptance of flood control improvements into the County's maintenance system."

On December 13, 2022 the Board of Supervisors voted and approved item A-31, File Reference No. 22-01130 (Final Map of Tract No. 14,608, Legacy Estates/Village Square, 02TRM-00000-00007) WITHOUT the applicant entering into an executed maintenance agreement with SBCFC&WCD.

All imposed conditions of approval were NOT satisfied, as the **applicant did not have an executed Agreement with Santa Barbara County Flood Control and Water Conservation District on December 13, 2022 or on December 19, 2022, when the map was recorded.**

This mitigation measure, outlined in the Legacy 2005 EIR Section 4.6, clearly states that <u>a maintenance</u> <u>agreement must be in place prior to recordation of the final map.</u>

The approval and recordation of the Final Tract Map 14,608, should not have taken place without the applicant entering into an executed maintenance agreement with SBCFC&WCD and is currently invalid. Procedural steps are key to ensuring checks and balances as well as proper

project implementation and accountability. No further actions can be taken until this critical error is remediated.
Sincerely,
Krishna Flores
Los Alamos, CA
cc:
Supervisor Bob Nelson (nelson@bos.countyofsb.org) Supervisor Das Williams (SupervisorWilliams@countyofsb.org)

Supervisor Bob Nelson (nelson@bos.countyofsb.org)
Supervisor Das Williams (SupervisorWilliams@countyofsb.org)
Supervisor Joan Hartmann (JHartmann@countyofsb.org)
Supervisor Laura Capps (lcapps@countyofsb.org)
Supervisor Steve Lavagnino (steve.lavagnino@countyofsb.org)

By email sbcob@countyofsb.org

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

Honorable Supervisors,

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I am writing in objection to the approval of item A-36 and request that the Board DENY approval of this item.

The Board took action to approve tract map No.14,608 BEFORE applicant secured an executed maintenance agreement with Santa Barbara County Flood Control and Water Conservation District. This is in direct conflict with the conditions of approval outlined in the Legacy EIR, Section 4.6. All imposed conditions of approval were NOT satisfied at the time the tract map was approved.

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All imposed conditions of approval were NOT satisfied, as the applicant did not have an executed Agreement with Santa Barbara County Flood Control and Water Conservation District on December 13, 2022 or on December 19, 2022, when the map was recorded.

This mitigation measure, outlined in the Legacy 2005 EIR Section 4.6, clearly states that <u>a</u> maintenance agreement must be in place prior to recordation of the final map.

The approval and recordation of the Final Tract Map 14,608, should not have taken place without the applicant entering into an executed maintenance agreement with SBCFC&WCD and is currently invalid. Procedural steps are key to ensuring checks and balances as well as proper project implementation and accountability. No further actions can be taken until this critical error is remediated.

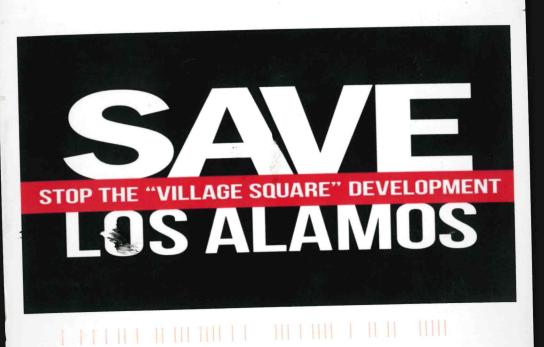
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Krishna Flores

Los Alamos, CA

cc:

Supervisor Bob Nelson (<u>nelson@bos.countyofsb.org</u>) Supervisor Das Williams (<u>SupervisorWilliams@countyofsb.org</u>) Supervisor Joan Hartmann (<u>JHartmann@countyofsb.org</u>) Supervisor Laura Capps (<u>lcapps@countyofsb.org</u>) Supervisor Steve Lavagnino (steve.lavagnino@countyofsb.org)



SA E STOP THE "VILLAGE SOJARE" DEVELOPMENT LOS ALAMOS

I ask that you vote NO on the discretionary item, Village Square Subdivision (TR 14,608) Agreement for Construction and Dedication of Flood Control Improvements, and call for a supplemental/ subsequent EIR. All decisions are being made based on a 2005 EIR, which claimed no significant landslide risks. The Santa Barbara County Climate Change Vulnerability Assessment, November 2021, classed Los Alamos as having a high landslide susceptibility (Figure 30). The Board of Supervisors should not approve the Project. Pursuant to CEQA Guidelines 15162 subdivision (a), the Board of Supervisors must require a subsequent EIR for the Project so that newly available information of

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Brianda Negrete Clerk of the Board of Supervisors 105 E. Anapamu St. Suite 407 Santa Barbara, CA 93101

CC. Supervisor Williams Supervisor Nelson Supervisor Hartmann Supervisor Capps ii. p., jipiliji jiriliji jiriliri Supervisor Lavagnino

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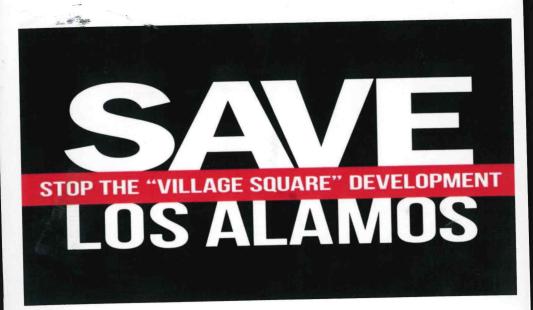
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Name: Albert BenneH



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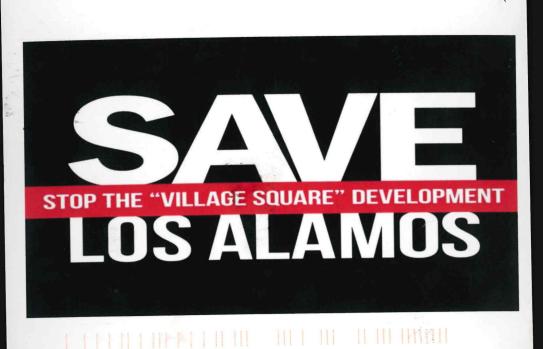
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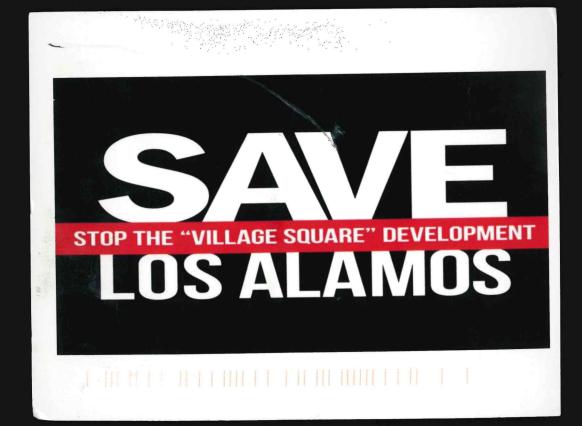
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Santa Barbara, CA 93101

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Name:

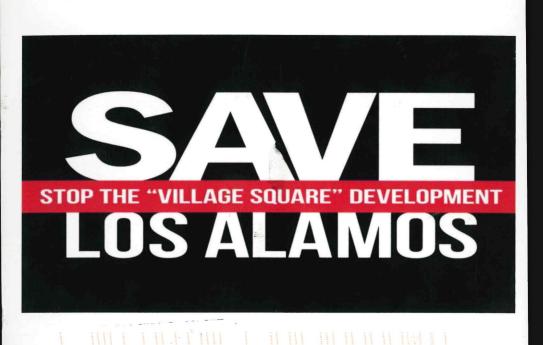
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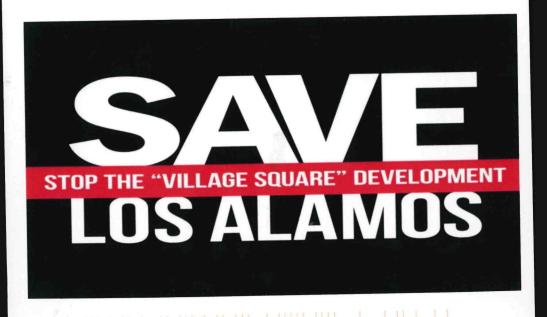
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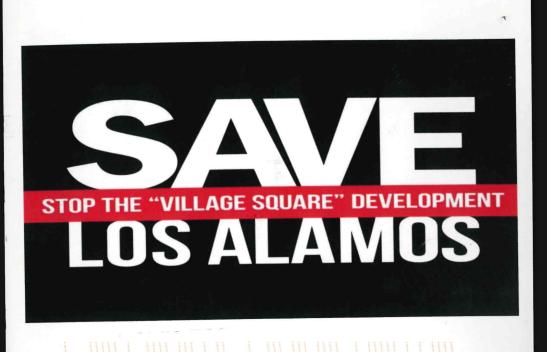
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Sign:

Name:

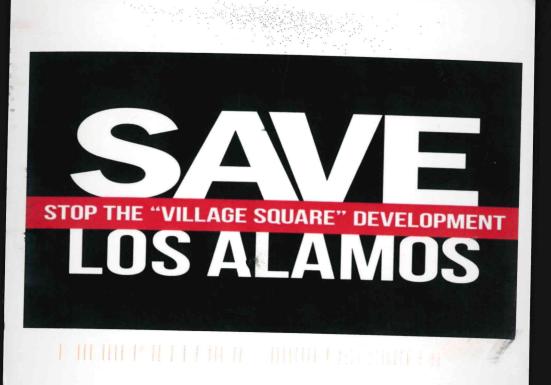
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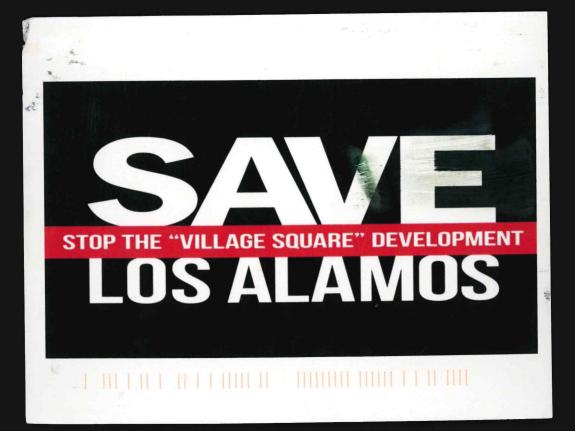
Sign: Kachel Mojonnier

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Name: Sheila Glaser

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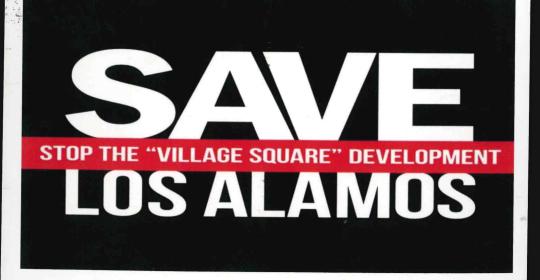
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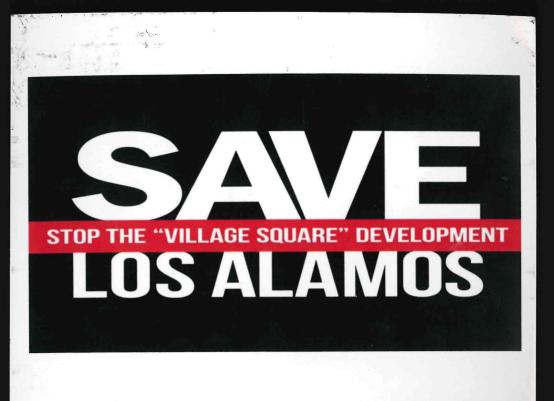
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