

**COMSTOCK HOMES DEVELOPMENT AND
ELLWOOD MESA OPEN SPACE PLAN FEIR**

**SECTION 1.0
INTRODUCTION AND BACKGROUND**

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I.1 INTRODUCTION

The City of Goleta has prepared this project level Final Environmental Impact Report (EIR) in accordance with the California Environmental Quality Act (CEQA). It addresses the potential environmental impacts of the proposed Comstock Homes Development and related actions, land use changes, along with the implementation of those components of the Ellwood-Devereux Open Space and Habitat Management Plan (Open Space Plan) that fall within the City's jurisdiction. Figure 1-1 provides an overview of the Open Space Area along with the boundaries that fall within the City of Goleta's jurisdiction.

The Comstock Homes Development is a proposed 78 unit single family development. It will be sited at the northwestern boundary of the proposed Ellwood-Devereux Open Space on vacant but previously disturbed land.

The Open Space Plan lays out proposed concepts for restoration, conservation, and recreation within roughly 650 acres of coastal open space. Approximately 238 acres of this total fall within the City of Goleta. In this EIR, components of the overall Open Space Plan that are in the City's jurisdiction are collectively referred to as the Ellwood Mesa Open Space Plan. The Open Space acres are characterized by expansive vistas of grasslands, coastal bluffs, beaches, the Pacific Ocean and Channel Islands, Devereux Creek and slough, and the Santa Ynez Mountains. They also contain the largest monarch overwintering site in the west. The unspoiled, tranquil character of this area has been cherished by local residents and visitors alike.

The intent of this EIR is to present the consequences and benefits of carrying out these projects. The document presents both short-term and long-term impacts in terms of their significance and extent. Mitigation measures and monitoring programs for avoiding or reducing adverse impacts are discussed, along with any residual impacts that would remain. Alternatives to the Comstock Homes Development and the Ellwood Mesa Open Space Plan are presented and their impacts are compared with those associated with the projects. Finally, the relationship between this project and other approved and proposed projects is considered in the Cumulative Impacts sections.

The Draft EIR was issued for public comment on March 23, 2004. The City of held five public comment meetings to discuss these proposals. Public input received on the Draft was used to shape this Final EIR. Appendix E, Comments and Responses, of the Final EIR, includes all of the public comments received on the DEIR as well as responses to each comment. The City of Goleta will consider certification of the Final EIR. Once it is certified, where appropriate, the text in the main body of the Final EIR has been revised in response to comments on the Draft EIR. The City of Goleta will continue to process the residential, land use, and open space components of these projects. Since the projects fall within the coastal zone, as well as the

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original permit jurisdiction of the California Coastal Commission, they will also be submitted to the Coastal Commission for approval.

1.2 BACKGROUND

The definition of the proposed projects evolved over a number of years and is based on their interdependence, and relationship to related County of Santa Barbara (County) and University of California at Santa Barbara (University) projects. In brief, three entities, the County, the City of Goleta, and the University were faced with intense development pressures that could have led to the construction of several housing projects on vacant coastal properties. In fact, some projects already had received some approvals (County approval but not Coastal Commission concurrence) or approvals by both decision-makers that were subsequently litigated. The City of Goleta, the County, and the University realized that the coastal properties in question were exceptional, both in terms of natural resources and recreational opportunities. By working together, the three entities sought to re-locate proposed residential development away from sensitive coastal areas. They agreed to acquire and combine the vacated parcels with existing managed areas to create a large open space consisting of about 650 contiguous acres of coastal bluffs, dunes, monarch butterfly groves, wetlands, and grasslands that are the focus of the Open Space Plan.

The process for this ambitious undertaking formally began with the release of the Joint Proposal for the Ellwood-Devereux Coast in March 2002 as amended by a Memorandum of Understanding (MOU) in January 2003. These documents laid out a series of recommendations for providing much needed housing; for restoring and preserving valuable coastal resources; and for maintaining quality recreational opportunities. Shortly thereafter, the three sponsoring agencies established a Joint Review Panel that has supervised the development of this EIR; the preparation of an Open Space Preliminary Concepts document and Draft Open Space Plan; and the development of an EIR for the County and one for the University. The Joint Review Panel also has actively solicited public input through a series of workshops, scoping meetings, and presentations. Summaries of public and agency comments received on the Notice of Preparation, public scoping process, and public workshops on the Open Space Preliminary Concepts document are provided in Section 1.6.

The City of Goleta has faced a number of challenges in developing the Open Space Plan. These include balancing a wide variety of opinions regarding appropriate uses of the open space; considering conflicting viewpoints regarding restrictions; and a range of concepts regarding the type of management, if any, that should be responsible for the open space. For example, some members of the public want to see the area developed as a park supporting frisbee golf, dirt bikes, and other organized activities. Others want to exclude everyone except pedestrians. Environmental groups want restoration and conservation efforts expanded. Still others want the area left exactly “as is.” Finally, successful implementation of the Open Space Plan is predicated on re-locating proposed residential housing away from the coast to a vacant parcel adjacent to Hollister Avenue.

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Figure I-1

Overview of the Open Space Area

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Proposals for developing portions of the Ellwood Mesa for residential use have been at various stages of approval for some time. Specifically, in 1995, the California Coastal Commission and the County of Santa Barbara granted approvals to the Santa Barbara Development Partnership for a Specific Plan (89-SP-002) that called for up to 162 residential units to be constructed on Ellwood Mesa. These approvals were challenged by the Save Ellwood Shores (SES) and League for Coastal Protection. On August 19, 1997, the County Board of Supervisors approved a Coastal and Specific Plan amendment and related permits and transmitted these to the Coastal Commission. The Plan did not receive Coastal Commission approval. In 1999, Santa Barbara Development Partnership submitted a Tract Map and Development Plan under the original 1995 Specific Plan, since the lawsuit against it had been settled, and the 1997 amendment was still before the Coastal Commission. These approval processes were suspended in favor of the land swap described in the Joint Proposal and MOU. The principal components underlying the land swap are to:

- Execute a “land exchange and housing development...by providing for the clustering of housing away from the coast in a manner, which on balance, is more protective of significant coastal resources”
- Permanently dedicated, protected, and enhanced open space to be achieved through implementation of an integrated Open Space and Habitat Management Plan

Figure 1-2 presents the proposed relocation of residential development away from sensitive coastal resources.

Another challenge facing the City of Goleta, as a recently incorporated city, is developing land use plans and policies. The City of Goleta is in the process of preparing its General Plan and Local Coastal Plan land use planning documents. Consistent with California Government Code Section 65360, processing development without underlying land use plans, policies, and standards is permissible. California Government Code Section 65360 specifically states:

“65360. The legislative body of a newly incorporated city or newly formed county shall adopt a general plan within 30 months following incorporation or formation. During that 30-month period of time, the city or county is not subject to the requirement that a general plan be adopted or the requirements of state law that its decisions be consistent with the general plan, if all of the following requirements are met:

- a) The city or county is proceeding in a timely fashion with the preparation of the general plan.*
- b) The planning agency finds, in approving projects and taking other actions, including the issuance of building permits, pursuant to this title, each of the following:*
 - 1) There is a reasonable probability that the land use or action proposed will be consistent with the general plan proposal being considered or studied or which will be studied within a reasonable time.*

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- 2) *There is little or no probability of substantial detriment to or interference with the future adopted general plan if the proposed use or action is ultimately inconsistent with the plan.*
- 3) *The proposed use or action complies with all other applicable requirements of state law and local ordinances.”*

To guide the assessment of proposed development that the City of Goleta has determined is consistent with California Government Code Section 65360, the City has adopted, as administrative procedural guidelines, the County of Santa Barbara’s zoning and implementing ordinances (including the Coastal Zoning Ordinance and subdivision, and grading ordinances). Although the City of Goleta has adopted these ordinances, certification of these ordinances by the California Coastal Commission has not occurred. Therefore, without California Coastal Commission certified local land use policies, the California Coastal Act land use policies apply. In addition, proposed projects must be consistent with the City’s Coastal Zoning Ordinance requirements. Finally, City practice is to include the analysis of selected Santa Barbara County Local Coastal Plan (Coastal Plan) and Goleta Community Plan policies. Although the City of Goleta has not adopted the Coastal Plan or the Goleta Community Plan, it is assumed that many of the policies in the City’s future general plan will be at least as environmentally protective as the policies in these documents. Further discussion of all applicable policies is included in Section 5.0 of this EIR.

I.3 PROJECT OBJECTIVES

The City of Goleta is the Lead Agency for preparation of this EIR. The primary objectives of the proposed projects are to:

- Shift existing private development rights (Santa Barbara Development Partnership [SBDP]) within the jurisdiction of the City of Goleta from privately-owned coastal mesa habitat and open space to less environmentally sensitive City of Goleta-owned park property (Santa Barbara Shores Park) through a property exchange. This exchange would increase the size of Santa Barbara Shores Park from 116.16 to 217 acres and designate the entire park as permanent open space.
- Associated with the shift of development rights to the north and away from the coast, allow development of the Comstock Homes Development (78 single-family homes and six parcels for subdivision improvements as well as undeveloped open space areas within the development) on a 36-acre portion of the existing City of Goleta 116.16-acre Santa Barbara Shores Park that is directly south of Hollister Avenue.
- Maintain and improve passive enhanced open space recreation opportunities and preserve and restore environmentally sensitive habitat in the portions of the proposed Open Space Plan area under the City’s jurisdiction, in coordination with the University and County.
- Allow for a rezone of portions of the Coronado Butterfly Preserve and adjacent parcels from Residential to Recreation (REC). Maintain passive open space recreation in the 12.6 acres of

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Figure I-2

Proposed Development Relocations and Land Exchange

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City-owned properties along Devereux Creek adjacent to the Coronado Butterfly Preserve (the Neighborhood Trail).

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Details of the proposed residential, land use, and open space projects are provided in Sections 2.0 and 3.0. By meeting all of the above listed objectives, the City of Goleta intends to provide much needed housing; protect valuable coastal open space from encroachment; restore sensitive habitats; and improve recreational opportunities for City residents. Part of the process the City will go through to meet these objectives will be the procurement of applicable permits and approvals.

1.3.1 Project Approvals

The proposed projects will require various approvals prior to implementation. The City of Goleta will need to authorize and/or approve the following items:

The proposed projects would require various approvals prior to implementation. Many of these approvals would have to take place sequentially prior to implementation. The City of Goleta would need to take the following actions:

- Approval of a parcel map to subdivide the existing 116.16-acre City of Goleta Santa Barbara Shores Park/Open Space Area into two parcels: a 36-acre portion that would be conveyed to Comstock Homes for its residential development; and an 80.16-acre parcel that would be incorporated into the Ellwood Mesa Open Space Plan area
- Rezone of the 36-acre development site from REC to 7-R-1 to allow residential development
- Approval of a vesting tentative tract map to subdivide the 36-acre parcel into 78 single-family residential lots and six lots for subdivision roads and common open space
- Rezone of the 130.5-acre Ellwood Mesa parcels (APNs 079-210-013, -014, -015, -024, -051), owned by the SBDP, from Planned Residential Development (PRD) to REC to allow for the expansion of the existing City of Goleta Santa Barbara Shores Park to the new larger City of Goleta Ellwood Mesa Open Space Plan area
- Rezone of Coronado Butterfly Preserve parcels (or portions thereof) from DR-3.3 and 7-R-1 to REC. Two of these parcels (APN 079-210-045 and APN 079-395-016) are under the ownership of the Land Trust for Santa Barbara County. One of the parcels (APN 079-395-015) is under the ownership of the City of Goleta
- Approval of the Ellwood Mesa Open Space Plan to provide guidance for future improvements within the Open Space Plan area
- Approval of a Development Plan for the proposed relocation of the Open Space Area public parking lot.

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After local discretionary actions have occurred, the City of Goleta would need to apply for and receive approval of a Coastal Development Permit (CDP) from the California Coastal Commission for the parking lot and the parcel map as described in Section 2.2.1.4. Upon issuance of the CDP by the Coastal Commission, the City of Goleta will record the final parcel map. Comstock Homes will need to apply for and receive approval of a CDP from the California Coastal Commission for the tract map and residential development.

Other permit actions may also be required by the California Department of Fish and Game, U.S. Fish and Wildlife Service, the U.S. Army Corps of Engineers, and other agencies as a result of the residential development and implementation of the Open Space Plan. Finally, individual Land Use Permits (LUPs) would be required as a follow up to each of the two CDPs issued by the Coastal Commission, as well as for the development of each home site in the Comstock Development.

1.3.2 Project Alternatives

Section 6.0 presents a qualitative comparison of environmental impacts between each alternative, as compared to the proposed project.

The following alternatives are addressed in this section:

- Alternative 1: The No Project Alternative – Under this alternative, no residential units would be constructed on the 36-acre Santa Barbara Shores property.
- Alternative 2: Reduced Development Envelope Option #1 – Under this alternative, fewer than 78 residences would be built on the Santa Barbara Shores property so as to reduce impacts to wetland buffers and environmentally sensitive habitat areas (ESHAs).
- Alternative 3: Reduced Development Envelope Option #2 – Under this alternative, the development envelope would be scaled back and reconfigured to avoid impacts to wetland buffers and ESHAs on the 36-acre Santa Barbara Shores parcel.
- Alternative 4: Reduced Development Envelope Option #3 – Under this alternative, a mix of single and multi-family residences would be sited on the 36-acre parcel in a manner that would avoid buffers and ESHAs, but would impact native grasslands.
- Alternative 5: Reduced Development Option #4 – This alternative is similar to Alternative 4 except that impacts to native grasslands would be avoided.
- Alternative 6: Offsite Alternative – This alternative is Alternative 2 presented in the Final Supplemental EIR for the Residences at Sandpiper and would consist of 89 units.
- Alternative 7: Reduced Open Space Alternative – Under this alternative, the City of Goleta would eliminate some of the projects proposed for the Open Space Plan area, such as a new parking lot, new restroom, and habitat restoration.

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Alternatives 1 through 6 provide a comparative analysis of the proposed Comstock Homes Development.

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Alternative 7 addresses the consequences associated with a significant reduction in the projects discussed in the Open Space Plan for the City of Goleta.

I.4 EIR SCOPE

As previously stated, this EIR examines potential short and long-term impacts of the proposed projects. These impacts were determined through a rigorous process mandated by CEQA in which existing conditions are compared and contrasted with conditions that will exist once the projects are implemented. The significance of each identified impact was determined using the City of Goleta Thresholds of Significance. For each adverse impact identified, possible mitigation measures are presented that are designed to reduce impacts to less than significant levels. In those instances where mitigation measures cannot reduce adverse impacts to less than significant levels, the impacts are highlighted as Class I Impacts. The EIR also presents alternatives to the projects, including the “No Action” alternative, and the impacts that are associated with these alternatives. Finally, the cumulative impacts of the proposed projects when added to other local proposed or approved projects are evaluated.

I.4.1 Mitigation Monitoring

CEQA requires that a public agency adopt a Mitigation Monitoring and Report Plan (MMRP) for mitigation measures that have been incorporated into the project to reduce or avoid significant impacts on the environment. The MMRP is designed to ensure compliance during project implementation, as required by Public Resources Code Section 21081.6.

This EIR incorporates policies from the California Coastal Act and the Coastal Zoning Ordinance that govern future development within the coastal zone. The MMRP for the proposed project will include these policies and mitigation measures and will obligate the City of Goleta to continue to implement them. The City will review the MMRP in conjunction with consideration of the proposed residential development, land use changes, relevant Open Space Plan components, and certification of the Final EIR.

I.4.2 Relationship to Plans and Policies

Ellwood-Devereux Coast Open Space and Habitat Management Plan

The Open Space Plan components that are addressed in this EIR are part of a long-term open space management program being developed in coordination with the County and the University. The Joint Proposal for the Ellwood-Devereux Coast was prepared in March 2002, and provides the foundation for the Ellwood-Devereux Coast Open Space and Habitat Management Plan. The City of Goleta, the County, and the University signed a MOU in 2003 to jointly prepare the Open Space Plan. The Open Space Plan forms the basis for each jurisdiction’s open space component. The residential/open space components for each

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jurisdiction are addressed in separate EIRs, including this EIR for the Comstock Homes Development and the Ellwood Mesa Open Space Plan.

Coronado Butterfly Preserve Management and Enhancement Plan

In addition to the Open Space Plan that prescribes management actions for the Ellwood-Devereux Coast, the Land Trust for Santa Barbara County is currently implementing the Coronado Butterfly Preserve Management and Enhancement Plan for the Coronado Butterfly Preserve. This Management and Enhancement Plan describes the goals and objectives for restoration, enhancement and maintenance of the Coronado Butterfly Preserve to make this site a model nature preserve set in the midst of suburban residential developments.

The two-phased Management Plan includes specific goals, objectives, and implementation measures (e.g., habitat enhancement/restoration projects, trails, signage, environmental education features, fire risk management, volunteer activities, etc.) for the site. Phase One projects included writing the Management Plan, preparing permit applications, designing interpretive signage, removing exotic species, and obtaining an arborist's evaluation of the existing eucalyptus tree health. Phase Two projects are those that may be completed in future years, subject to the availability of funds and community participation. Examples of Phase Two projects include improving wildlife habitat values in Devereux Creek, enhancing rainwater retention and creation of vernal ponds, and actively pursuing a more coordinated and comprehensive study and management of all ESHAs of the Devereux Creek watershed. The Land Trust views the Coronado Butterfly Preserve Management and Enhancement Plan as a "living document" to be updated and improved based on its management experience, further scientific study, and the on-going input of neighbors, educators, environmentalists, and visitors.

I.5 METHODOLOGY

The area encompassed by the Comstock Homes Development and the proposed Open Space Plan area has been the subject of a number of studies over the years including the following key environmental reviews and plans:

- The Open Space and Habitat Management Plan for the Nature Preserve at Monarch Point Reserve (March 27, 1997)
- The Ellwood Beach-Santa Barbara Shores Specific Plan (89-SP-002) and the 1995 and 1997 Plan revisions
- The Ellwood Beach-Santa Barbara Shores Specific Plan EIR (91-EIR-3)
- The Goleta Community Plan EIR (91-EIR-13)

Adjacent parcels have also been examined in:

- Sandpiper Golf Course, Clubhouse, Day Care Center, and Residential Development EIR (94-EIR-009)

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- Residences at Sandpiper Supplemental EIR

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These documents and related technical reports, plans, and studies were reviewed as part of the EIR development process. They were augmented by field investigations, interviews with key personnel, and iterative, multidisciplinary analyses using Geographic Information System (GIS) maps of existing conditions that showed the locations of key site characteristics such as sensitive habitats, geologic features, existing trails, degraded areas, and hydrologic features.

1.6 EIR ORGANIZATION

This EIR has an Executive Summary that presents an overview of the proposed projects and their impacts. This is followed by Section 1.0: Introduction and Background which contains a summary of the purpose and scope of the EIR and the public comments received to date on the Notice of Preparation, public scoping process, and public workshops on the Open Space Preliminary Concepts document. Section 2.0: Proposed Project-Residential Development and Land Use Changes provides details on the proposed projects and the land use changes that are imbedded in their implementation. Section 3.0: Project Description – Open Space Plan Components provides details on the proposed Open Space Plan components within the City of Goleta’s jurisdiction. Section 4.0: Existing Conditions details existing conditions in the project locations for a wide range of resources including but not limited to, geology and geologic hazards, hydrology and water quality, biological resources, hazards and hazardous materials, land use, agriculture, mineral resources, visual resources, cultural resources, traffic and circulation, noise, air quality, and public services and utilities. Section 5.0: Consistency with Relevant Plans and Policies includes the identification of applicable land use plans and policies as well as a discussion of the project’s consistency with these policies. Section 6.0: Alternatives provides a comparison of the proposed residential and Open Space Plan components with the list of alternatives developed by the City. Section 7.0: Other CEQA Considerations identifies the proposed project’s compliance with other applicable CEQA requirements. Section 8.0: List of Preparers identifies the individuals and their roles in preparing this EIR. Section 9.0: References lists all of the references, both reports and persons contacted, relevant to preparation of this EIR.

1.7 PUBLIC COMMENTS

This section includes a summary of all relevant comments received on the Notice of Preparation, public scoping process, and public workshops on the Open Space Preliminary Concepts document as they are relevant to the Comstock Homes Development, proposed land use changes, and the Ellwood Devereux Open Space and Habitat Management Plan. The comments have been taken into consideration in the preparation of the Draft EIR. Additionally, Appendix E Comments and Responses, of the Final EIR, includes all of the public comments received on the DEIR as well as responses to each comment. Where appropriate, the text in the main body of the Final EIR has been revised in response to comments on the Draft EIR.

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Section 1.0 **1.7.1 Notice of Preparation Comments**

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1.7.1.1 Notice of Preparation

On July 25, 2003, the City of Goleta distributed a Notice of Preparation (NOP) for review by affected state, county, and city agencies, utility providers, interested organizations, and the general public. A summary of the NOP responses are provided below.

1.7.1.1.1 State Agencies. California Department of Toxic Substances Control (DTSC) submitted the following comments in response to the NOP:

- Determine if hazardous wastes/substances have been released as a result of current or historic uses at the project site
- Identify any known or potentially contaminated site; if so, evaluate whether conditions at site pose a threat to human health or the environment
- Identify mechanism to initiate any required investigation and/or remediation, and which government agency will provide oversight
- If soil contamination is suspected during construction of the project, construction should stop and appropriate health and safety procedures implemented; if contaminated soil exists, identify how any required investigation and/or remediation will be conducted, and which government agency will provide oversight
- They provided guidance for Preliminary Endangerment Assessment preparation and cleanup oversight; visit website for more info

California Department of Fish and Game (CDFG). CDFG submitted the following comments in response to the NOP:

- Ensure that the EIR includes a recent assessment of:
 - Flora and fauna within/adjacent to the project area
 - Rare plants and rare natural communities
 - Sensitive fish, wildlife, reptile, and amphibian species, including season variations
- Use CEQA definition for rare, threatened, and endangered species
- Address significant ecological areas, natural areas, or environmentally sensitive habitats
- Include direct, indirect, and cumulative impacts expected to adversely affect bio resources
 - Rare, regional emphasis
 - Impacts to wildlife corridors/movement areas, migratory wildlife, and from traffic, night lighting

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- Cumulative effects analysis
- Project activities should avoid bird breeding season (March 1 – August 15); raptor nests should have minimum 500’ buffer
- Include mitigation measures
- Address compensation for unavoidable impacts through acquisition and protection of high quality habitat elsewhere
- Alternative should be presented and analyzed
- Obtain California Endangered Species Act permit if impacts to endangered species have potential to results in “take”
- Opposes elimination or channelization of watercourses
- Streambed agreement is required
- Suggests early consultations with CDFG

1.7.1.1.2 Santa Barbara County Agencies. Fire Department, Protection Services Division, Hazardous Materials Unit. The Santa Barbara County Fire Department submitted the following comments in response to the NOP:

- A Remedial Action Plan (RAP) approved for the Monarch Point Preserve pertains to a different area than the “Proposed Comstock Homes Monarch Point Development Site” in the EIR. That RAP was prepared and approved when the anticipated use of the Monarch Point Preserve was for residential development (which may or may not be acceptable under current planned land use).
- The proposed project areas are known in Fire Prevention Division (FPD) files as the following Site Mitigation Units (SMU):

Proposed Development	Included as FPD File	SMU Unit
Proposed Comstock Homes Monarch Point Development Site Area	NW portion of the Santa Barbara Shores-Santa Barbara County Park/Arco SMU site	#312
Proposed Santa Barbara Shores-Ellwood Mesa Park/Open Space Area	• S and E Portions of the Santa Barbara Shores SMU Site	#312
	• Monarch Point Preserve Site	#308
	• A Portion of the SW Diversified SMU Site	#52
Goleta Union School District Site	• Includes part of the Connor-Knill Property, and/or	#52
	• SW Diversified SMU Sites	#119

- State Department of Oil, Gas and Geothermal Resources (DOGGR) records indicate extensive use of sites for oil production

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- Previous RAP was based on now outdated standards
- Need to complete adequate assessments and/or remediation for all three project sites, including possible reabandonment to current standards of previous oil wells
- Likely that the three oil wells also had an associated sump used for disposal of drilling muds and oil generated during the initial drilling of the well
- Santa Barbara County Fire Department FPD has no records of any site assessment or remediation activities at the Santa Barbara Shores Park property
- FPD concurs with the statement from the draft letter, “a comprehensive site assessment is required,” and “the assessment itself will be planned following a review of work conducted by others”
- Please clarify if the five water wells scheduled for abandonment (as noted in the draft letter) are water wells or the former oil wells
- Submit a revised RAP for Monarch Point, including a comprehensive presentation of all data and other work performed at Monarch Point
 - Verify that the only areas of concern are the six identified “contaminated sites;” include supporting analytical data
 - Include site maps
 - Include an evaluation of ecological impacts associated with leaving contamination in place
- Submit a comprehensive Site Assessment Work Plan, including a summary of the remediation work performed

Santa Barbara County Air Pollution Control District (SBCAPCD). SBCAPCD submitted the following comments in response to the NOP:

- Air quality sections should follow the SBCAPCD guidelines document, “Scope and Content of Air Quality Sections in Environmental Documents”
- Use the latest version of the URBEMIS 2002 model
- Include cumulative impacts and consistency with the 2001 Clean Air Plan
- Conduct CO hotspot impacts at intersections using CALINE4
- Each building that involves demolition or renovation (e.g., Cliff House) is required to complete the “Asbestos Demolition/Renovation Notification” form
- Promote the use of nearby commercial areas by residents by biking or walking
- Build compact and well-designed projects so the public open spaces can be preserved

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- Give equal priority to all modes of transportation instead of designing auto-oriented communities
- Consider pollution prevention principles including “green” buildings
- Construction fugitive dust generation and suppression have not been mentioned explicitly in the list of environmental effects to be addressed
- Residential areas within walking distance of transit stops should be reserved for net densities above 18 dwelling units per acre (du/ac); provide pedestrian shortcuts, bike, and walkway access through cul-de-sacs; and alternative should be included with “livable community” design
- Address air quality impacts associated with traffic under a reasonable worst-case scenario
- Address soil remediation potential impacts
- Suggest higher housing density to ensure mass transit trips are viable (7 du/ac)

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1.7.1.1.3 Other Agencies and Interested Persons.

The City of Santa Barbara, Municipal Airport. The airport submitted the following comments in response to the NOP:

- Contact William Yim of the SBCAG, who is a staff of the Airport Land Use Commission (ALUC), to obtain formal consistency review with respect to the Airport Land Use Plan
- Reduced housing density is welcomed within existing and future Approach Zone
- Request for analysis of noise, land use, and accident risk impacts associated with potential development of housing
- Keep construction noise low
- Disclosure that property is within an Airport Influence Area will be required for property for sale or lease within the development area

The Environmental Defense Center (EDC). EDC, in response to the NOP, requested that the following items be addressed in the EIR:

- The project description should include overlay maps
- The existing setting section should note the current existing physical conditions, including existing access areas
- The impact sections should include detailed analyses of impacts to access, biological, soil remediation, land use, and aesthetics issues. Concerns regarding the appropriateness of using previous analyses performed to the current existing conditions of the project site(s)
- Proposed Mitigations:

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- Rezone Ellwood to Open Space, not Recreation
- Avoid development in wetlands ESHAs
- Protect water quality from polluted runoff, including detention basins with appropriate native plantings
- Impose easements on open spaces
- Preserve the view corridor of Hollister Avenue to the Pacific Ocean
- Eliminate all equestrian use, or at least commercial equestrian use

Park/Open Space Plan.

- The existing setting section should include mapping of all wetlands, riparian habitat, native grasslands, vernal pools, coastal bluffs, sensitive species, and raptor roosting and foraging areas
- Impact assessment should include a detailed analyses of impacts resulting from:
 - Installation of restrooms
 - Increased public use effects on Monarch butterflies
 - Increased pollutant loading from dogs and equestrian use
 - Additional sedimentation in the Slough
- Proposed Mitigations:
 - Locate toilet north of Devereux Creek in parking area; use only vault toilet and avoid plumbing, which attracts wild animals
 - Fencing at Monarch butterfly area, plus restoration and education measures
 - Educate public on impacts from human, canine, and equestrian use; provide “mutt mitt”; ban horse trailer parking

The Surfrider Foundation, Santa Barbara Chapter. The Surfrider Foundation submitted the following comments in response to the NOP:

- Include detailed, complete mapping of all ESHAs, wetlands, natural resources, public access points, foot trails, etc. prior to detailed planning
- Construction should be performed in a manner that doesn't increase runoff (during or after) or any non-point pollution; detailed analysis of potential impacts should be provided
- Strictly adhere to coastal land use laws and policies
- Analyze direct, indirect, and cumulative impacts and potential mitigations

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Neighborhood Groups, Other Local Organizations, and the General Public. A wide variety of comments were received. A summary of these comments are provided below:

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- Concerns regarding Comstock development impacts on students at Ellwood school, including:
 - Short-term construction air quality impacts
 - Exposure to Hazmat during any contaminated soil remediation
 - Noise disturbance impacts, short-term and long-term
- Historical western Goleta and Isla Vista was covered with oak woodland. There are no well-developed riparian woodlands with tiered canopies in this watershed. Want to see greater discussion of implementing new native woodland areas in addition to non-native woodlands slated to remain as transitional zone between grasslands and development.
- Parkways, medians, and planting areas should be designed to be a minimum of 10 feet wide to accommodate large native trees without causing future damage to landscape
- Avoid sediment and erosion impacts; clean bioswales regularly if they are utilized
- Concerned about construction impacts on soil and sedimentation
- Concerned that firescape landscaping should be requested for homes, chimneys should have safety screens
- Trade-off of preservation of additional public lands for development of prime coastal property needs to be spelled out in greater detail
- Concerns regarding increased Goleta traffic
- Increase in urban runoff or sewage outfall is unacceptable
- There should not be any additional parking near coastal bluffs; locals don't generally complain regarding current parking at Coal Oil Point
- Analysis should be conducted outside of any previously obtained permission to build due to the scarcity of undeveloped coastal land
- EIR should include more alternative sites, including developed areas
- Consider mixed-use building (classes on ground floor, condos above)

1.7.2 Scoping Meeting Comments

In addition to obtaining written comments on the NOP, the Joint Review Panel held a public scoping meeting for the project on August 13, 2003. The meeting provided an opportunity for affected public agencies and the public to express concerns about the project and issues that should be addressed in the project EIR. A summary of comments relevant to the Comstock

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Section 1.0 Homes Development and Ellwood Mesa Open Space area have been categorized and are provided below:

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1.7.2.1 Procedural/Regulatory Issues

1.7.2.1.1 Restoration Issues.

- Habitats, specifically native grasslands should be mapped following CDFG methodology
- Map habitat for sensitive species, such as white-tailed kites. Assess historic kite sites
- Carefully map and protect natural resources; avoid impacts to ESHs. Identify habitats so buffers can be determined
- Comstock Development – tributary of Devereux Creek should be closely evaluated because it is a potential ESH
- Remove paving of road and move outside of wetland
- Remove non-native grasses, especially pampas grass
- Concerned about effects on Ellwood Mesa area habitats – most diverse habitats in the area. Would have to drive long distance for this type of diversity
- Supports wildlife corridor along ocean frontage
- Landscape vegetation should address open space and butterflies and be compatible with existing wildlife
- Animals – red foxes and kites – vernal pools and other birds would be affected. Proposal will remove potential for habitat
- What are the impacts from the Comstock Homes Development on monarch groves? Will houses have chimneys? If so how will this affect monarchs?
- Butterfly counts available from Monarchs Unlimited
- Concerned with construction impacts – erosion, habitat protection, raptors, wildlife
- Fragmentation of habitat from trails
- Monarch Ordinance covering Goleta is coming to protect Monarchs, fold ordinance into this proposal

1.7.2.1.2 Procedural/Regulatory.

- Land use policy consistency: address plan's consistency with applicable policies, including California Coastal Act (Coastal Comm. Act policies 15063d(5)); didn't see that these would be addressed in NOP; areas that should be addressed include environmentally sensitive

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habitats (ESH) including wetlands, water quality, coastal views, historic public access, views. These impacts must be avoided, not mitigated.

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- Mitigation Measures and Alternatives: not much discussion of ways to avoid impacts on NOP; too much responsibility placed on public to determine mitigation; not enough discussion of alternatives; come up with projects and alternatives that would meet community needs and preserve environmental resources.
- Request for an extension of NOP deadline
- All three EIRs must include up-to-date and accurate baseline information
- Commends regional planning efforts; trying to bring together general entities to address open space near ocean; encourages continued joint planning
- Supports Joint Proposal and unified EIRs
- Do subsequent meetings in community at night, try Ellwood School
- Paginate document, use tables – for comparison, use overlays
- Table 3.1-1 in NOP is misleading – doesn't account for development constraints
- Meaningful alternations should include reduced project
- No real alternatives presented, would like to see more in EIR

1.7.2.1.3 Other General Impact Concerns.

- Analyze impacts of increased human use of the area from direct and indirect sources: pets, noise, lighting, crossing, runoff, horses, foot traffic
- Need to address access points – existing and future
- Soil remediation needs to be evaluated; look at bioremediation if necessary. Use least impacting methods. Slope stability from past remediation may be necessary. Assess dust and noise impacts from remediation.
- Mitigate and avoid impacts changed by stormwater runoff because this affects wetlands – avoid ESH
- Analyze short-term construction impacts to Ellwood School and contaminated soil remediation impacts on children
- No matter where development goes, need to apply sophisticated concept to ensure zero negative impacts from non-point source runoff. Construction should have no stormwater impacts in the ocean
- Beach closings are more frequent – runoff from streets should incorporate state of the art technology to result in zero impacts
- Parking at developments – allow only two vehicles/unit

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- Section 1.0*
- Address cumulative impacts of all three projects – parking, trails, land use types
- Introduction and Background*
- Use carports not garages, people live in garages
 - Recommend bridges at historic creek crossings
 - No trails in creek
 - Trash cans should be provided on trails
 - Too many homes would bring so many people to area destroying beach environment
 - Houses will increase use and impact environment; concerned about impacts to secluded beaches
 - Water usage, flooding is severe and would be exacerbated, more houses will make problem worse
 - Parking would bring new people to the area, may not be sensitive to environment
 - Concerned about traffic impacts and sacrificing safety for parking
 - There is one access road for Comstock; concerned about emergency access
 - Why is sound wall necessary?
 - Does not want paved trails; look at alternative surface and wheelchair access; closely look at impacts from trail development
 - Windrow adjacent to Sandpiper is beneficial – need to keep this. Parks wanted to remove trees
 - Assess impacts on visual resources
 - Affordable housing – environment impacts of not providing affordable housing, such as traffic, air quality, accidents
 - Address biology effects from night lighting
 - Northwest corner in Comstock abuts historic landmark (old gas station), outside of EIR area – what would be the effects to this
 - Reduce density to allow for green spaces for children
 - Encourage bikes over cars

1.7.3 Open Space Plan Comments

The following synthesis of public comments on the October 2003 Preliminary Concepts for the Ellwood-Devereux Coast Open Space and Habitat Management Plan is based on comments received at the November 5th and 12th Workshops, letters delivered to one of the sponsoring agencies or URS, and letters posted on the Ellwood-Devereux website as of December 3, 2003.

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The Plan for this area continues to generate a great deal of public interest. Over 100 commentors voiced their opinions on the concepts proposed. Many of the comments were favorable, although there were several strong reactions to plan specifics. In particular, there were three main dissenting concerns:

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1. Create more trails and parking for equestrians as they have historically enjoyed and supported the area.
2. Leave the Camino Majorca parking “as is” and eliminate the Coal Oil Point parking.
3. Keep the open space “as is” or, at a minimum keep trails, signage, barriers, boardwalks, etc. to a level that does not disrupt the unspoiled quality of the area.

General

- Protection and restoration of habitat should be the primary goal
- Recreation and access must be secondary to resource protection
- Plan increases recreation pressures
- Add the word “restore” to Mission Statement
- Integrated ecosystem approach is laudable
- Keep the area wild, “as is;” “less is more,” “don’t mess with Ellwood”
- Maintain undeveloped setting
- Minimize or eliminate all fencing
- Use wood and recycled product for fencing
- Increase public understanding and involvement (materials and staff onsite)
- Future meetings should include dialog, questions, and answers
- Maintain historic public uses (i.e., the “spirit” of Ellwood) unless substantial conflicts are created
- The Visitor Experience Resource Protection of the National Park Service approach to carrying capacity appears biased in favor of more developed parks than open space will be
- Proposed University housing will be in a zone prone to flooding and possible tsunami impacts and will increase traffic and habitat impacts
- Proposed Plan will increase traffic impacts to Cannon Green homeowners

Management

- Clear plan for managing area is needed. Should be a joint effort and deal with issues like maintenance, enforcement, setting priorities

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- Section 1.0*
- Discuss costs and schedule
- Introduction and Background*
- Set up Citizens Advisory Committee to oversee plan implementation
 - Plan should have Monitoring Plan with measurable performance standards
 - Use Open Space Plan as vehicle for coordinated effort to produce Devereux Watershed Plan
 - Penalties for non compliance need to be posted and enforced
 - Plan should exclude many uses (dogs off leash, motorized vehicles, commercial equestrians, dirt bikes)
 - Need effective barriers for motorcycles
 - Would like annual report on carrying capacity and effectiveness of plan
 - Consider having Coal Oil Point Reserve (COPR) manage North Finger south of Campus Point Road, the South Finger, and portion of West Campus Bluffs on slough margin
 - Label all trees and trails that will be affected by the plan

Restoration

- Restoration needs to include Devereux Creek and the entire watershed (may be mitigation for Ocean Meadows Residences)
- Restoration needs to include riparian habitats, salt marsh, and wetlands (expand vernal pools to include historic ones)
- Remove invasive plants especially Pampas grass, Tamarisk, cattails
- Need to address ongoing introduction of invasives (by wind, manure, dogs)
- Remove existing culvert, use no new culverts
- Debris on monarch grove floor is a fire hazard
- Balance risk from grove floor debris with biological value
- Add oaks to re-planting scheme
- Include West Campus Mesa in restoration efforts
- Not all ESHAs have been identified, do so and reflect historic ones
- Clean up old oil operations, focus on in-situ remediation
- Remove seawall remnants
- Include successful recovery of Sands Beach
- Add understory to support monarchs

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Conservation

- Special species list must be expanded (red-legged frog, Santa Barbara honeysuckle, Ventura milkvetch)
- Explain use of fire in managing grasslands
- Discourage beach use near plover area, consider moving beach access further away
- Manage all monarch groves as a linked entity
- Manage horse manure and odor

Trails and Public Access

- Only allow pedestrian access
- Redraw trails to respect ESHAs
- Create only A and B trails
- Don't close so many trails, close more trails
- Leave trails "as is"
- Expand number of horse trails (many comments on this), eliminate horses (two comments)
- Horse trails are too narrow
- Need to have equestrian trail connector at Hollister parking area
- Consider limiting horse use to certain times (e.g., horse trail must be on north side of Venoco Rd.)
- Add one more beach access for horses to keep them away from plovers
- Anza Trail should be all-weather its entire length and support horses
- Use of decomposed granite on Anza Trail is unacceptable
- Anza trail should be re-located to Storke and Hollister or eliminated
- Trail on east side from Venoco Rd. to Storke will degrade slope along slough
- Trail through Ellwood will dissect entire mesa, what are impacts
- Move trail away from bluff edge
- Trail 18 goes through a wetland, re-route
- West Campus Mesa is inaccurately shown regarding parking and trails
- Use of wooden borders is poor concept

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- Plant trail shoulders with low native vegetation
- Assess impacts to vernal pools/grasslands/plovers of existing and proposed beach access to Sands Beach
- Implement trail improvements slowly as need is identified
- Leave Western bluff trail #14 as pedestrian only
- Trail #2 south of faculty housing should be eliminated
- Provide paved commuter trail
- Keep bike trails unpaved
- Bluff trail should be all weather but away from edge
- Provide all weather trail between Phelps Rd and Ellwood Beach Rd and school
- Provide Class I bikeway through open space
- Provide link from Anza Trail to Ellwood neighborhoods
- Eliminate multi-use trails

Parking and Amenities

- Leave Camino Majorca parking “as is”
- Leave Coal Oil Point parking “as is”
- Remove parking from Coal Oil Point
- No new parking
- Two parking lots on either side of open space is enough
- Against meters or anything other than free parking
- Add more parking for horse trailers (maybe sell stickers to offset costs)
- Make sure horse trailer parking is adequate size and allow space for rigs to turn around
- Put horse trailer parking away from trailhead and handicapped parking
- Provide bus service to western parking area
- Site western parking lot closer to Hollister
- Include locked gate at parking locations
- Use chemical toilets
- Add restroom in center of mesa

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- Design restrooms to be vandalism proof
- Use motion detection lights at restrooms, no other lights
- Against boardwalks in butterfly grove areas
- One bridge across Devereux Creek is enough
- Against 20 overlook benches
- Against lots of signs, keep signs to a minimum

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