

**4151 FOOTHILL ROAD, 675 AND 681 CIENEGUITAS ROAD
FINAL MITIGATED NEGATIVE DECLARATION
RESPONSE TO COMMENTS**

JUNE 11, 2012

INTRODUCTION:

An Initial Study was prepared for the 4151 Foothill Road, 675 Cieneguitas Road and 681 Cieneguitas Road project because the California Environmental Quality Act (CEQA) requires that an environmental assessment of the proposed project be provided. The Environmental Analyst found that, although the proposed project could potentially have significant adverse impacts related to Hazards, mitigation measures described in the Initial Study and agreed to by the applicant would reduce potential impacts to less than significant levels. In addition, recommended mitigation measures were identified to reduce less than significant impacts associated with Biological Resources, Geophysical Conditions and Noise.

A Draft Mitigated Negative Declaration (MND) was prepared for the proposed project, and a public review period was held from April 4, 2012 to May 4, 2012. Comment letters were received from the following public agencies and members of the public during the comment period:

1. Chris Schaeffer, Caltrans District 5
2. Carly Wilburton, Santa Barbara County Air Pollution Control District (APCD)
3. County of Santa Barbara
 - a. Planning and Development
 - b. Fire Department
 - c. Public Works Department
4. Steve Fort, Suzanne Elledge Planning & Permitting Services

Responses to the comments received regarding the Draft MND are provided below, and the comment letters received are attached. In some instances, the text of the Final MND has been revised or augmented in response to comments.

The purpose of this document is to respond to specific comments received pertaining to environmental issues in the Draft MND; however, all comments will be forwarded to the Planning Commission for consideration.

COMMENTS AND RESPONSES

Letter No. 1

Chris Schaeffer, Caltrans District 5

April 20, 2012

- 1-1. **Comment:** The technical appendix to the Traffic Study differs from the text of the Traffic Study with respect to the LOS for the SR 154 southbound off-ramp, presumably due to averaging. The degradation of LOS from C to D (A.M. peak Existing + Project) and D to E (A.M. peak Cumulative + Project) at this intersection is significant. Therefore, a queuing analysis for the SR 154 southbound off-ramp shall be prepared. The calculated LOS is probably worse than what is portrayed due to use of the peak hour factor 1.0, which typically skews the results.

Response: Because the project has the potential to impact intersections under the jurisdiction of the City, County and State, the prepared traffic analysis provided methodologies for each appropriate jurisdiction's intersections. The intersection of Foothill Road and the Southbound Highway State Route 154 off-ramp is within the jurisdiction of the County of Santa Barbara. However, Caltrans has stated that the minor leg (ramp) of the intersection is in their jurisdiction and requested that an analysis be performed using specific (non averaged) Caltrans methodology. Therefore both the County's and Caltrans' practices were analyzed.

County: The County does not have an impact threshold for unsignalized intersections. The County's adopted practice is to measure the vehicle delays expressed as a weighted average delay time. Intersection measurements included the off-ramp left-turn and right-turn vehicle delays, and the westbound Foothill Road left-turn vehicle delays. A queuing analysis was prepared by Associated Transportation Engineers (ATE) that showed the peak ramp queue during the morning peak hour would be five vehicles when the project is operational. The off-ramp is in excess of 1,600 feet long with a queuing capacity of approximately 70 vehicles. The project is forecast to add seven peak hour trips to the off-ramp over the peak hour period and would not measurably change the experienced queues.

Caltrans: To accommodate the Caltrans methodology, a revised analysis was prepared by ATE using data acquired in May 2012, standard Highway Capacity Manual (HCM) guidelines, and a more conservative 15 minute time frame increment instead of averaging data over the entire peak hour. This field-measured analysis determined the Existing + Project volumes, which were then entered into the HCM calibrated model. Vehicle delays were shown to be 14.3 seconds in the A.M. peak hour and 11.5 seconds in the P.M; both of which equate to an acceptable LOS B. The HCM model determined the Cumulative + Project delays to be 16.1 seconds in the A.M. peak hour and 18.8 seconds in the P.M, both of which equate to LOS C, which is considered acceptable by Caltrans for this intersection. Caltrans reviewed the LOS/delay data and had no further comments or concerns (e-mail from Chris Schaeffer, Caltrans, June 4, 2012).

Letter No. 2

Carly Wilburton, APCD

May 1, 2012

- 2-1. **Comment:** Diesel-powered Emergency Standby Generator Engine - APCD will be a Responsible Agency under CEQA; APCD screening HRA identified a significant impact if the engine is operated 50 hours per year for maintenance and testing.

Response: The Initial Study has been updated to identify APCD as a Responsible Agency should the emergency generator be subject to APCD permit requirements and prohibitory rules.

Based on information provided by the applicant, it is estimated that the emergency generator will have an engine rated less than 300kVA. Nevertheless, the Air Quality and Greenhouse Gas Analysis (March 2012) included analysis of a 313 kVA Cummins diesel generator, with a standby kW rating of 250 kW, as a worst-case scenario.

Additionally, the applicant expects to run the generator approximately 15 minutes per week for testing, which equates to approximately 13 hours per year. This is significantly less than the 45 hours identified by APCD as having a less than significant impact. Even if the applicant were to test the generator for twice as long as anticipated, it would still be significantly below the upper limit identified by APCD. Therefore, the generator does not result in significant environmental impacts related to health risks. The initial study identifies that the applicant will need to obtain permits from APCD for this generator. The initial study has been updated to reflect comments from APCD.

A project condition of approval will be recommended to ensure the applicant contacts APCD to confirm the need for a permit for the emergency generator and, if so, to confirm the operational parameters/limitations of that permit with APCD prior to issuance of a building permit.

- 2-2. **Comment:** Exhibit 2 Standard Conditions of Approval, Air Quality-Related condition number 2 "Asbestos & Lead-Containing Materials" includes the following sentence, which is incorrect: "Permits shall be obtained from the Air Pollution Control District prior to commencement of demolition of the structure containing asbestos and/or lead."

Response: The standard conditions of approval have been updated to delete the referenced sentence from the condition.

- 2-3. **Comment:** Suggested inclusion of project-related conditions of approval.

Response: As appropriate, said conditions will be added to the recommended conditions of approval for the project.

Letter No. 3a

**Glenn Russell, Ph.D., County of Santa Barbara Planning and Development
April 27, 2012**

3a-1. **Comment:** The affected parcels are within the provisional planning area for the Draft Goleta Valley Community Plan. Applicable Draft Policies cited.

Response: Comment noted. Said Draft Policies will be forwarded to decision-makers for consideration.

**Letter No. 3b
Eric Peterson, County of Santa Barbara Fire Department
April 26, 2012**

3b-1. **Comment:** The property is located within the Department's Hazardous Material Unit (HMU) jurisdiction, and should be put on General Notice to stop work if visual contamination or chemical odors are detected.

Response: Said condition will be added to the recommended conditions of approval for the project.

**Letter No. 3c
Bret A. Stewart, P.E., County of Santa Barbara Public Works Department
April 25, 2012**

3c-1. **Comment:** Traffic counts appear to be outside the reasonable time window considered acceptable because they are more than 2 years old.

Response: Traffic counts for the various intersections potentially affected by the project were taken in May 2009 by ATE, in April 2008 by Caltrans and in March 2008 by the City of Santa Barbara. Changes to the 2008-submitted project were submitted to staff in September 2011, and the project was deemed complete in December 2011. City Transportation Staff peer reviewed ATE's traffic data to determine if new counts should be conducted. Staff determined that the older count data was acceptable and reflective of the current operations because the volumes in the area had remained the same or decreased due to the effects of the economic downturn on area traffic volumes. Following receipt of this comment, the County provided City staff and ATE counts conducted in 2012 for the County. As seen below, 2012 volume counts conducted by the County confirm city staff's determination for area intersections:

Intersection	2008/2009 Volumes	2012 Volumes	Net Change
SR 154/Calle Real	2,627	2,621	-6
SR 154/State Street	1,755	1,757	+2
State Street/U.S. 101 SB Off-Ramp	2,599	2,526	-73

3c-2. **Comment:** According to recent County and Caltrans analysis, the Highway 154/State Street intersection is operating at LOS D in the P.M. peak under HCM and LOS C under ICU analysis.

Response: The comment was made in error, which was confirmed by William Robertson, Senior Transportation Planner with Santa Barbara County. The ICU analysis performed by the County and Caltrans was for the Grand Hope Ranch Hotel proposed within the County’s jurisdiction at the south side of this intersection. The County’s analysis for the Grand Hope Ranch Hotel shows the LOS as B not C, which corresponds with that of the current ATE study for this project. Below is the data provided by the County.

Intersection	2008/2009 V/C - LOS	2012 V/C - LOS
SR 154/State Street	V/C 0.65 - LOS B	V/C 0.66 - LOS B

Letter No. 4
Steve Fort, Suzanne Elledge Planning & Permitting Services
April 6, 2012

4-1. **Comment:** Recommended mitigation measure N-4 (Sound Barriers) should be deleted from the Initial Study and MMRP, as it is not applicable.

Response: Mitigation measure N-4 was inadvertently included as a recommended noise mitigation measure. Staff is not recommending that it be applied to the project site, and the applicant did not previously agree to accept it as mitigation. This measure has been stricken from the Initial Study and MMRP.

The closest sensitive receptors (residences) are located approximately 77 feet from the project site, across Cieneguitas Road, in an area where the ambient noise levels are less than 60 dB(A). Residences to the north (across Foothill Road) are located approximately 112-132 feet from the project site, in an area where the ambient noise level is 65-70 dB(A). Grading activities are anticipated to result in the loudest construction noise. This phase of construction is estimated to last approximately 3-½ months. Given the relatively short duration of this phase of construction, recommended mitigation was limited to neighborhood notification (N-1), reduced working hours of 7:00 a.m. to 5:00 p.m. Monday through Friday and no weekend work (N-2), and construction equipment sound control (N-3).

4-2. **Comment:** Inaccurate data is included in the Recreational Demand (p. 32) and Transportation (p. 35) Sections of the Initial Study.

Response: Inaccurate data has been updated.

- 4-3. **Comment:** Concern related to standard condition of approval 2.c.i related to irrigation under oaks.

Response: This comment is referring to Exhibit 2, which lists standard City conditions of approval applicable to the project. This is a standard condition intended to ensure the long-term health of existing and proposed oak trees on site. As part of the preparation of the project's final conditions of approval, staff will work with the applicant to address their concerns regarding a resultant lack of landscaping under the oak(s). Potential clarification of that condition will not result in any environmental impacts and no changes to the Initial Study and MND would be required.

- Attachments:
1. Letter from Caltrans
 2. Letter from APCD
 3. Letters from County of Santa Barbara
 4. Letter from Steve Fort, Suzanne Elledge Planning & Permitting Services

DEPARTMENT OF TRANSPORTATION

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<http://www.dot.ca.gov/dist05/>

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CITY OF SANTA BARBARA
PLANNING DIVISION

April 20, 2012

Allison De Busk
City of Santa Barbara Planning
PO Box 1990
Santa Barbara, CA 93102

SB 192 pm 0.0
SCH 2012042003

Subject: 4151 Foothill Road Annexation and Foothill Centre Development Mitigated Negative Declaration

Dear Ms. De Busk:

Thank you for the opportunity to review the subject Mitigated Negative Declaration (MND). With respect to the project's traffic study, the technical analysis appears to adequately illuminate the level of service (LOS) degradation at the SR 154 southbound off-ramp intersection with Foothill Road / Cathedral Oaks. Existing + Project degrades the A.M. peak LOS from C to D with an addition of 10 seconds of delay. Cumulative + Project degrades the A.M. peak LOS from D to E with additional delay.

The technical appendix worksheets correctly display the intersection performance in accordance with the methodology used, that is, stop control intersection LOS is not an *averaged* value of all the movements. However it appears that in the "translation" from technical analysis to narrative, the performance degradation is softened so much, through what appears to be an averaging function, that the traffic component discussion within the MND itself does not acknowledge it in any respect, and therefore concludes there are no impacts.

LOS degradation from C to D and from D to E is significant, particularly given the context of stop controlled ramp nodes at the boundary between city and county.

Because the LOS degrades to such an extent with this project, Caltrans requests that a queuing analysis for the southbound off-ramp be accomplished.

On a technical note, the calculated LOS is probably worse than what is portrayed. The use of the peak hour factor 1.0 (without supporting field measurements and calculations) helps provide the best possible outcome in the analysis and typically skews the results. This is discussed extensively in the Highway Capacity Methodology that is being used for this analysis.

"Caltrans improves mobility across California"

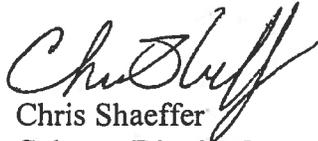
ATTACHMENT 1

Allison De Busk
April 20, 2012
Page 2

With respect to the annexation and associated easements or dedications, that issue is being discussed separately from these comments.

If you have any questions pertaining to these comments, please call me at (805) 549-3632.

Sincerely,



Chris Shaeffer
Caltrans District 5
Development Review

Cc: L. Newland
A. Kwong
F. Boyle

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MAY 04 2012

CITY OF SANTA BARBARA
PLANNING DIVISION

May 1, 2012

Allison De Busk
City of Santa Barbara
Planning Division
P.O. Box 1990
Santa Barbara, CA 93102

Re: **APCD Comments on Draft Mitigated Negative Declaration for 4151 Foothill Road, 681 Cieneguitas Road, 675 Cieneguitas Road, MST2009-00496**

Dear Ms. De Busk:

The Air Pollution Control District (APCD) has reviewed the Draft Mitigated Negative Declaration (MND) for the referenced case, which consists of the following: the annexation of three parcels into the City of Santa Barbara and detachment from prior county services, the demolition of the existing abandoned gas station at the corner of Foothill and HWY 154, and the construction of two new 2-story office buildings totaling 61,745 square feet (SF) (to be known as the "Foothill Centre") on APN 059-160-017 and -023. The proposed office buildings would be occupied by Sansum Clinic and would include an outpatient surgery center, a medical clinic, and administrative offices. Groundwater remediation due to contamination from the previous use as a fill service gas station is currently on-going and would continue. APN 059-160-021 contains an existing 2,500 SF veterinary hospital that would remain; five parking spaces in an existing easement would be added to this parcel for use by the Foothill Centre development. Grading associated with the proposed project includes 17,327 cubic yards of cut and fill and 16,527 cubic yards of export. The subject property contains three parcels totaling 4.31-acres. Proposed zoning is Limited Commercial/Upper State Street Overlay (C-1/SD-2). The property is identified in the Assessor Parcel Map Book as APN 059-160-021, -023, and -017, and is located at 4151 Foothill Road, 681 Cieneguitas Road, and 675 Cieneguitas Road in the City of Santa Barbara.

Air Pollution Control District staff offers the following comments on the Draft MND and project materials:

1. **Diesel-powered Emergency Standby Generator Engine:** The proposed project will include an emergency generator with an engine rated greater than 300 kVA, which is subject to APCD permit requirements and prohibitory rules. Therefore, **APCD will be a responsible agency under the California Environmental Quality Act (CEQA), and will rely on the MND when evaluating APCD permits for proposed equipment.** The thresholds of significance for health impacts of the proposed project are the APCD Board adopted APCD health risk public notification thresholds (10 excess cancer cases in a million for cancer risk and a hazard index of more than 1.0 for noncancer health effects).

A screening health risk assessment has been completed by the applicant and was included in air quality section of the MND. Results of the screening indicate that exposure of project-related toxic air contaminant emission impacts to sensitive receptors during operation of the proposed project would be less than significant, as the maximum anticipated cancer risk associated with

the project is 0.7 in 1 million, and chronic hazard index for noncancer health impacts are well below 1.0.

APCD staff has reviewed the screening HRA conducted by the applicant and disagrees with the model parameters that were employed. Specifically, it does not appear that the maximum risk at the property's boundary line ("fence line") was compared to the significance thresholds. Also, the annual hours of operation used in the HRA screening do not match what the District permit would allow. The APCD has conducted its own screening HRA based on project characteristics and found that the cancer risk is significant at the property's closest boundary line to the proposed generator location if the engine is operated 50 hours per year (hrs/yr) for maintenance and testing. However, operation of the engine at 45 hrs/yr for maintenance and testing would result in a less than significant health impact (see results in Attachment 1).

APCD staff recommends that the engine use be limited to 45 hours per year for maintenance and testing, and that the HRA screening results found in Attachment 1 be used in the evaluation of air quality impacts in the environmental document.

2. Exhibit 2 Standard Conditions of Approval Applicable to Project, Asbestos & Lead-Containing Materials: The second *Air Quality-Related* condition concerning asbestos & lead-containing materials states that "*Permits shall be obtained from the Air Pollution Control District prior to commencement of demolition of the structure containing asbestos and/or lead.*" This statement is incorrect. APCD permits are not required for demolition of asbestos and/or lead containing structures. Depending upon the amount and type of asbestos and the type of project, advance notification (a minimum of 10 working days) to the District may be required before asbestos is disturbed and/or removed, see <http://www.sbcapcd.org/biz/asbestos.htm> for more information. Please delete the referenced sentence; the other information provided in this paragraph is sufficient and accurate.

Air Pollution Control District staff offers the following suggested conditions:

1. APCD Rule 345, *Control of Fugitive Dust from Construction and Demolition Activities* establishes limits on the generation of visible fugitive dust emissions at demolition and construction sites. The rule includes measures for minimizing fugitive dust from on-site activities and from trucks moving on- and off-site. The text of the rule can be viewed on the APCD website at www.sbcapcd.org/rules/download/rule345.pdf.
2. Prior to occupancy, APCD permits must be obtained for all equipment that requires an APCD permit. APCD Authority to Construct permits are required for diesel engines rated at 50 bhp and greater (e.g., firewater pumps and emergency standby generators) and boilers/large water heaters whose combined heat input rating exceeds 2.0 million BTUs per hour.
3. All portable diesel-fired construction engines rated at 50 brake-horsepower or greater must have either statewide Portable Equipment Registration Program (PERP) certificates or APCD permits prior to operation. Construction engines with PERP certificates are exempt from APCD permit, provided they will be on-site for less than 12 months.
4. The applicant is required to complete and submit an Asbestos Demolition/Renovation Notification (APCD Form ENF-28 which can be downloaded at

www.sbcapcd.org/eng/dl/dl08.htm) for each regulated structure to be demolished or renovated. Demolition notifications are required regardless of whether asbestos is present or not. The completed notification should be presented or mailed to the Santa Barbara County Air Pollution Control District with a minimum of 10 working days advance notice prior to disturbing asbestos in a renovation or starting work on a demolition. For additional information regarding asbestos notification requirements, please visit our website at www.sbcapcd.org/biz/asbestos.htm or contact APCD's Engineering and Compliance Division at (805) 961-8800.

5. Small boilers and water heating units (rated between 75,000 and 2.0 million Btu/hr) must comply with the emission limits and certification requirements of APCD Rule 360. Combinations of units totaling 2.0 million Btu/hr or greater are required to obtain a District permit prior to installation. Please see www.sbcapcd.org/eng/boiler/rule360/rule_360.htm for more information and a list of certified boilers (note: any units fired on fuel(s) other than natural gas must be certified by the SBCAPCD on a case-by-case basis, even if the unit is certified when fired on natural gas).
6. If contaminated soils are found at the project site, the APCD must be contacted to determine if Authority to Construct and/or Permit to Operate permits will be required.
7. Petroleum storage tank degassing activities shall comply with APCD Rule 343, *Petroleum Storage Tank Degassing*. Please see <http://www.sbcapcd.org/eng/compliance/degassing/degassing.htm> for more information.
8. At all times, idling of heavy-duty diesel trucks must be limited to five minutes; auxiliary power units should be used whenever possible. State law requires that drivers of diesel-fueled commercial vehicles:
 - shall not idle the vehicle's primary diesel engine for greater than 5 minutes at any location
 - shall not idle a diesel-fueled auxiliary power system (APS) for more than 5 minutes to power a heater, air conditioner, or any ancillary equipment on the vehicle.
9. At a minimum, prior to occupancy any feasible greenhouse gas reduction measures from the following sector-based list should be applied to the project:
 - Energy use (energy efficiency, low carbon fuels, renewable energy)
 - Transportation (reduce vehicle miles traveled, compact and transit-oriented development, pedestrian- and bicycle-friendly communities)
 - Water conservation (improved practices and equipment, landscaping)
 - Waste reduction (material re-use/recycling, composting, waste diversion, waste minimization)
 - Architectural features (green building practices, cool roofs)
10. Asphalt paving activities shall comply with APCD Rule 329, *Cutback and Emulsified Asphalt Paving Materials*.

If you or the project applicant have any questions regarding these comments, please feel free to contact me at (805) 961-8890 or via email at cvw@sbcapcd.org.

May 1, 2012

Page 4

Sincerely,



Carly Wilburton,
Air Quality Specialist
Technology and Environmental Assessment Division

Attachment: Diesel Internal Combustion Engine Screen Risk Tool Results

cc: Steve Fort
Project File
TEA Chron File



**ATTACHMENT 1
DIESEL INTERNAL COMBUSTION ENGINE SCREEN RISK TOOL RESULTS**

Diesel I.C. Engines (DICE) Screening Risk Tool

Project Information		Receptor Data	
Region: <input type="checkbox"/>	Facility ID: <input type="text"/>	Unit #: <input type="text"/>	<div style="text-align: center;"> Quad <input type="text" value="QUAD 1"/> Distance(m) <input type="text" value="0"/> </div>
Project #:	<input type="text" value="Foothill Centre"/>		
Date:	<input type="text" value="4/12/2012"/>		
Met Station		Miles: <input type="text"/> Feet: <input type="text"/> Yards: <input type="text"/> 10th Mi: <input type="text"/>	
District	<input type="text" value="SBAPCD"/>		Cancer Risk
Met Site	<input type="text" value="SANTA BARBARA"/>		
Model Type	<input type="text" value="URBAN BD"/>		
Year:	<input type="text" value="63"/>		
Engine Data		<div style="display: flex; justify-content: space-between;"> <div> <p>Resident Risk: 10.77</p> <p>Maximum Res. Risk: 10.77</p> <p>Worker Adjustment Factor %: <input type="text" value="37.91"/></p> <p>Worker Risk: 4.08</p> <p>Maximum Worker Risk: 4.08</p> </div> <div> <p>Convert to G/BHP</p> <p>Convert to G/KW</p> </div> </div>	
BHP:	<input type="text" value="476"/>	<input type="button" value="Calculate Risk"/> <input type="button" value="Print Form"/>	
% Load:	<input type="text" value="100"/>		
PM10 EF (g/BHP):	<input type="text" value="0.15"/>		
Hours / Yr:	<input type="text" value="50"/>		
Lbs / Yr:	<input type="text" value="7.87"/>		
<input type="button" value="Update Emissions"/>			
<input type="button" value="New"/>		<input type="button" value="View Eng Data"/>	
<input type="button" value="SAVE"/>		<input type="button" value="Close Form"/>	

50 hrs/yr of M&T

Diesel I.C. Engines (DICE) Screening Risk Tool

Project Information		Receptor Data	
Region: <input type="checkbox"/>	Facility ID: <input type="text"/>	Unit #: <input type="text"/>	<div style="text-align: center;"> Quad <input type="text" value="QUAD 1"/> Distance(m) <input type="text" value="0"/> </div>
Project #:	<input type="text" value="Foothill Centre"/>		
Date:	<input type="text" value="4/12/2012"/>		
Met Station		Miles: <input type="text"/> Feet: <input type="text"/> Yards: <input type="text"/> 10th Mi: <input type="text"/>	
District	<input type="text" value="SBAPCD"/>		Cancer Risk
Met Site	<input type="text" value="SANTA BARBARA"/>		
Model Type	<input type="text" value="URBAN BD"/>		
Year:	<input type="text" value="63"/>		
Engine Data		<div style="display: flex; justify-content: space-between;"> <div> <p>Resident Risk: 9.70</p> <p>Maximum Res. Risk: 9.70</p> <p>Worker Adjustment Factor %: <input type="text" value="37.91"/></p> <p>Worker Risk: 3.68</p> <p>Maximum Worker Risk: 3.68</p> </div> <div> <p>Convert to G/BHP</p> <p>Convert to G/KW</p> </div> </div>	
BHP:	<input type="text" value="476"/>	<input type="button" value="Calculate Risk"/> <input type="button" value="Print Form"/>	
% Load:	<input type="text" value="100"/>		
PM10 EF (g/BHP):	<input type="text" value="0.15"/>		
Hours / Yr:	<input type="text" value="45"/>		
Lbs / Yr:	<input type="text" value="7.08"/>		
<input type="button" value="Update Emissions"/>			
<input type="button" value="New"/>		<input type="button" value="View Eng Data"/>	
<input type="button" value="SAVE"/>		<input type="button" value="Close Form"/>	

45 hrs/yr of M&T

County Of Santa Barbara

Chandra L. Wallar
County Executive Officer



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Executive Office

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May 4, 2012

MAY 04 2012

CITY OF SANTA BARBARA
PLANNING DIVISION

City of Santa Barbara, Planning Division
Attn: Allison De Busk, Project Planner
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Santa Barbara, CA 93102-1990

Email: adebusk@SantaBarbaraCA.gov

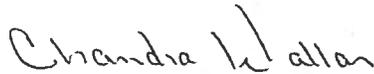
RE: Draft Mitigated Negative Declaration – Foothill Center

Dear Ms. De Busk:

Thank you for the opportunity to comment on the Draft Mitigated Negative Declaration for the Foothill Center project. At this time, the County submits comments from the Planning and Development Department, Fire Department, and Public Works Department.

The County looks forward to continued dialogue on the Foothill Center project. If you should have further questions, please do not hesitate to contact my office directly or Glenn Russell, Director, Planning and Development Department, at (805) 568-2085.

Sincerely,



Chandra L. Wallar
County Executive Officer

Cc: Glenn Russell, Director, Planning and Development Department
Scott McGolpin, Director, Public Works Department
Eric Peterson, Division Chief/Fire Marshal, Fire Department
Bret Stewart, Senior Development Engineering Manager

Enclosures: Planning and Development Department letter, April 27, 2012
Fire Department letter, April 26, 2012
Public Works Department letter, April 25, 2012

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ATTACHMENT 3



County of Santa Barbara Planning and Development

Glenn S. Russell, Ph.D., Director

Dianne Black, Assistant Director

April 27, 2012

City of Santa Barbara, Planning Division
Attn: Allison De Busk, Project Planner
P.O. Box 1990
Santa Barbara, CA 93102-1990

RE: Draft Mitigated Negative Declaration – MST 2008-00496 (Foothill Center)

Dear Ms. De Busk:

On behalf of the County of Santa Barbara, Planning and Development Department, thank you for the opportunity to comment on the Draft MND for the Foothill Center project (App #MST2008-00496) at 4151 Foothill Road in the unincorporated area of the 2nd Supervisorial District of Santa Barbara County. It is our understanding that the City of Santa Barbara is considering a development plan and concurrent annexation of the property to the City that may result in significant environmental effects due to hazards and/or hazardous materials. It is also our understanding that the properties lie within the sphere of influence of the City of Santa Barbara and its public services.

As part of the City's consideration of this application, please be advised that the County of Santa Barbara is currently processing an update to the 1993 Goleta Community Plan. The Goleta Community Plan is part of the Land Use Element of the County's Comprehensive Plan. The objectives of this long range project are to discuss, evaluate, and update the land use goals for many aspects of the unincorporated Goleta Valley community, including housing, economic development, transportation, agriculture, flooding and drainage, and environmental protection. The Board of Supervisors initiated environmental review of the Draft Goleta Valley Community Plan in February 2012.

Though the subject properties (APNs 059-160-017, -021, and -023) do not currently lie within the Goleta Community Plan planning area as it was adopted in 1993, the properties do lie within the provisional planning area for the Draft Goleta Valley Community Plan. As such, we recommend the updated Draft Goleta Valley Community Plan be considered as it represents the goals and objectives of the unincorporated community.

Due to the location and current land use designation for the project site, the County is most interested in mitigations and monitoring related to commercial land uses and associated traffic generation rates, high fire area planning, and hazardous materials management. With regard to these main policy concerns, the following policies are being considered as part of the Draft Goleta Valley Community Plan (available for review at <http://longrange.sbcountyplanning.org/planareas/goleta/gcp.php>):

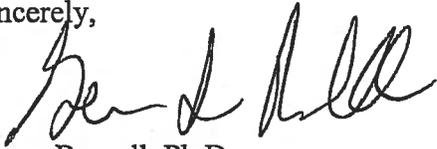
Draft Policy LUC-EGV-2.6: Local amenities and services should be developed to conveniently serve any commercial and/or institutional facilities developed at corner of Foothill Road and US Hwy 154.

Draft Policy FIRE-EGV-1.1: The County shall support and pursue collaborative fuel management and wildfire protection programs for the City of Santa Barbara, the City of Goleta, and Eastern Goleta Valley to encourage fire hazard reduction and protection of natural resources.

Draft Policy HAZ-EGV-1.1: Safety measures shall be required as part of project review to minimize the potential for hazardous materials risks and public safety impacts.

Thank you for the opportunity to contribute. We welcome any questions and encourage collaboration to ensure development of the project site satisfies the full range of intended outcomes for both the City and County of Santa Barbara. If you should have further questions, please do not hesitate to contact my office directly, or Jeff Hunt, Deputy Director of the Long Range Planning Division, at (805) 568-2072.

Sincerely,



Glenn Russell, Ph.D.
Director, Planning and Development

cc: Jeff Hunt, Deputy Director, Long Range Planning Division



Fire Department

"Serving the community since 1926"

Michael W. Dyer
Fire Chief
County Fire Warden

HEADQUARTERS

4410 Cathedral Oaks Road
Santa Barbara, CA 93110-1042
(805) 681-5500 FAX: (805) 681-5563

Christian J. Hahn
Deputy Fire Chief

April 26, 2012

City of Santa Barbara, Planning Division
Attn: Allison De Busk, Project Planner
PO Box 1990
Santa Barbara, CA 93102-1990

Dear Ms. De Busk:

SUBJECT: Foothill Center

The above project is located within the Santa Barbara County Fire Department's Hazardous Material Unit jurisdiction.

GENERAL NOTICE

1. Stop work immediately and contact the County Fire Department, Hazardous Materials Unit if visual contamination or chemical odors are detected while implementing the approved work at this site. Resumption of work requires approval of the HMU, 805-686-8170.

As always, if you have any questions or require further information, please call 805-681-5523 or 805-681-5500.

In the interest of life and fire safety,


Eric Peterson
Division Chief/Fire Marshal

WE: mkb

COUNTY OF SANTA BARBARA
PUBLIC WORKS DEPARTMENT
123 East Anapamu Street
Santa Barbara, CA 93101
805\568-3000 FAX 805\568-3019



SCOTT D. MCGOLPIN
Director

April 25, 2012

City of Santa Barbara, Planning Division
Ms. Allison De Busk, Project Planner
PO Box 1990
Santa Barbara, CA 93102-1990

Re: Draft Mitigated Negative Declaration, Foothill Center

Dear Ms. De Busk,

We have reviewed the above referenced document regarding the proposed Foothill Center, and offer the following comments:

1. The counts used to analyze the impacted intersections appear to be outside of the reasonable time window considered acceptable by professional and CEQA standards. The applicant should obtain traffic counts that are preferably no more than 1 year old, with a maximum life of no more than 2 years old. It is generally not reasonable to assume that counts taken outside of this range will be reflective of current roadway operations.
2. The analysis for the intersection of Highway 154/State Street is not consistent with the analysis recently performed by the County and Caltrans which shows the intersection operating at an LOS D in the pm peak under HCM and LOS C under ICU analysis. Although it is unlikely that the project will generate an impact, the existing and cumulative analysis does not appear to be an accurate reflection of how the intersection is functioning.

Thank you for the opportunity to comment on this document.

Sincerely,

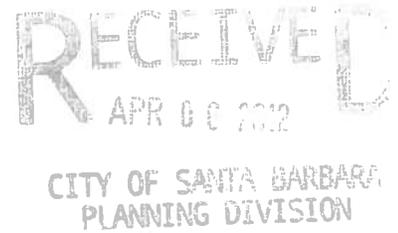
A handwritten signature in black ink, appearing to read "Bret Stewart".

Bret A. Stewart, P.E.
Senior Development Engineering Manager

AA /EEO Employer

PRINCIPAL PLANNERS
SUZANNE ELLEDGE • LAUREL F. PEREZ
6 April 2012

Allison DeBusk
Project Planner
City of Santa Barbara Planning Division
630 Garden Street
Santa Barbara, CA 93101



**Subject: The Foothill Centre
4151 Foothill Road, MST #2008-00496, APN 509-160-017 & 023
Comments On Draft Mitigated Negative Declaration,
Mitigation Monitoring and Reporting Program, and Standard Conditions of
Approval**

Dear Allison:

I am writing to transmit comments on the Draft Mitigated Negative Declaration and Mitigation Monitoring Reporting Program (MMRP) for MST2008-00496 - 4151 Foothill Road (both documents are dated March 22, 2012). We are also submitting one comment on the Standard Conditions of Approval. Below please find our comments:

Draft Mitigated Negative Declaration

- **Page 27 of 41 – Noise - Recommended Mitigation.** As we have discussed, item N-4 Sound Barriers should be deleted.
- **Page 32 of 41 – Recreational Demand.** This section states “The project would result in the construction of 58,637 net new square feet of medical office development”. As indicated on our site plan, total net square footage is 60,122 and total gross square footage is 61,745. It is unclear what 58,637 net square feet is referring to and we believe it may be an error. We thought 58,637 square feet may be the total net square footage of 60,122 minus 1,750 square feet for the existing gas station to be demolished, but that equals 58,372 square feet.
- **Page 35 of 44 – Short Term Construction Traffic.** The second paragraph refers to a ten-month construction period. The construction period should be indicated as thirteen months.

MMRP

- **MMRP Matrix – Page 3.** Please delete item N-4 related to sound barriers.

Standard Conditions of Approval

- **Biology-Related – Tree Protection Measures - Oak Trees - COA 2.c. i.** The project landscape architect, Bob Cunningham, believes that this standard condition restricting irrigation from within 3 feet of the drip line of any existing oak tree is overly restrictive and unnecessary for protection of the one existing oak tree. We request the opportunity to negotiate flexibility with the restriction and would encourage the participation of Urban Forest Supervisor Tim Downey in the discussion. As stated, the restriction would result in a bare landscape under the oak tree adjacent to the northerly entrance to the site. At the proper time, we would like to discuss a design which would allow for a more attractive landscape at the entrance.

■ ■ ■

Should you have any questions or require additional information, please do not hesitate to contact me at 805-966-2758 x21. We look forward to review of public comments on the Initial Study and presenting the project to the City Planning Commission and City Council for approval.

Sincerely,

SUZANNE ELLEDGE

PLANNING & PERMITTING SERVICES, INC.



Steven M. Fort, AICP
Senior Planner

cc: Mr. Michael Towbes, The Towbes Group, Inc.
Mr. Richard Six, Lenvik & Minor Architects
Mr. Bob Cunningham, Arcadia Studio Landscape Architects
Mr. Dave Rundle, Penfield & Smith
Mr. Peter Brown, Brownstein Hyatt Farber Schreck