
**Santa Barbara
Local Agency Formation Commission**

**Final Initial Study /
Negative Declaration
for the
Incorporation of the City of Goleta**

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**Proposed Incorporation of the City of Goleta
Final Initial Study/Negative Declaration**

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SANTA BARBARA LOCAL AGENCY FORMATION COMMISSION

INITIAL STUDY/ENVIRONMENTAL CHECKLIST

PROJECT TITLE: Proposed Incorporation of the City of Goleta

This Initial Study has been completed for the project described below because the project is subject to review under the California Environmental Quality Act (CEQA) and was determined not to be exempt from the requirement for the preparation of an environmental document. The information, analysis, and conclusions contained in this Initial Study are the basis for deciding whether a Negative Declaration (ND) or Mitigated Negative Declaration (MND) is to be prepared, or if preparation of an Environmental Impact Report (EIR) is required to further analyze impacts. Additionally, if preparation of an EIR is required, the Initial Study is used to focus the EIR on the effects determined to be potentially significant.

1.0 PROJECT DESCRIPTION

The project is the incorporation of the City of Goleta. The project description in the draft ND embraced the study area under review by LAFCO for inclusion within the boundaries of a new city of Goleta. The Final ND will reflect the boundaries approved by LAFCO.

GoletaNow! is a grassroots organization composed of individuals that support the incorporation of Goleta. On November 30, 1999 GoletaNow! submitted a proposal to the Santa Barbara Local Agency Formation Commission (LAFCO) for the incorporation of a portion of the Goleta Valley into a new City of Goleta. LAFCO issued a Certificate of Sufficiency for the proposal on December 28, 1999. The GoletaNow! application proposes the incorporation of a new City in the Goleta Valley of approximately 10,000 dwellings.

The proposed City boundaries (Modules A and A2 on Figure 1) encompass the western portion of the Goleta Valley, including the Bacara Resort and Venoco oil processing facility. Land within the City of Santa Barbara, including the Santa Barbara Airport, is excluded from the proposal.

LAFCO considered alternative boundaries that included other areas. For instance, Module B which consists of the University of California at Santa Barbara (UCSB) and the community of Isla Vista. Module C consisted of the eastern portion of the Goleta Valley between Module A and the City of Santa Barbara (excluding Hope Ranch). All three options (Modules A, B, C) are contained entirely within the Urban Development Line of the adopted Goleta Community Plan.

Land included in the new City will be automatically detached from County Service Areas Nos. 3 (Goleta Valley), 31(Isla Vista) and 32 (Law Enforcement Tax Area) as required by Government Code Section 25210 (Figure 2). These County Service Areas are County-governed special districts that fund street lighting, library services, law enforcement, open space maintenance and the Goleta community center, services that will be transferred to and provided by the new City.



Incorporation includes the election of a City Council and transfer of specific service obligations from the County to the new City. Initially, many services are likely to be provided by contract with the County or other entities. Over time, these services may be provided directly by the City. Additional services may be provided by the new City at a future point in time.

Upon incorporation, the City of Goleta may become responsible for the following municipal services currently provided by either Santa Barbara County or special districts:

- Law Enforcement
- City Administration and Finance
- Animal Control
- Planning and Building Inspection Services
- Public Works (engineering, road and local drainage maintenance, street lighting, parks)

The proposed incorporation is specifically intended to achieve the following objectives:

- Increase local control and accountability for decisions affecting the community through a locally elected City Council
- Retain local tax revenues for use in the community to support municipal programs and services
- Promote cost-effective services tailored to the needs of local residents and landowners
- Increase opportunities for participation in civic and governmental activities
- Promote orderly governmental boundaries

The new City council is obligated by Government Code Section 57376 to adopt all County Ordinances including the existing Goleta Community Plan and other applicable County of Santa Barbara zoning, land use plans, policies, guidelines, and regulations for the proposed incorporation area in their entirety. No changes in land use designations, zoning designations, policies, guidelines, or development regulations from those currently imposed by the County of Santa Barbara are proposed as part of the incorporation (Figures 3, 4a and 4b). Development potential would be the same as that currently allowed under the County jurisdiction for the incorporation area until such time that the new City Council adopts a new General Plan, Zoning Ordinance, and Charter Amendments to regulate development within the incorporated area.

By action of law, incorporation will detach the area from:

- County Service Area No. 3 (Goleta Valley)
This County Service Area (CSA) covers most of urbanized Goleta, except Isla Vista. It receives property taxes, and also collects assessments for street lighting, and special taxes for library services. The CSA helps fund open space maintenance by the County within the CSA boundaries.
- County Service Area No. 32 (Law Enforcement)
This CSA includes only the unincorporated area and is a method for accounting for County revenues generated in unincorporated areas for the purpose of funding sheriff protection with funds other than property tax.



-
- County Service Area No. 31 (Isla Vista) if the new City boundaries include Isla Vista

This CSA provides street lighting services and open space in the Isla Vista area. This CSA will not be affected by the *GoletaNow!* incorporation proposal, but will be affected by Module B. It collects property tax, and assessments for street lighting and has the ability to acquire open space.

Key steps in the public review of the incorporation proposal include:

- *GoletaNow!* submits to LAFCO the petition and application for incorporation
- LAFCO prepares preliminary and final Comprehensive Fiscal Analyses
- The County and the incorporation proponents negotiate a revenue neutrality agreement;
- LAFCO hears and approves or denies the proposed incorporation;

- If LAFCO approves the application, the Board of Supervisors as the Conducting Authority has a public protest hearing and places the incorporation on the November 2001 Ballot; and
- Election by registered voters within the areas to be incorporated. A majority vote is required to approved the incorporation.

PROPONENT

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2.0 PROJECT LOCATION (See Figure 1)

Three different modules were studied for incorporation, each of which covers a specific area. The *GoletaNow!* application proposes the incorporation of a new City in the Goleta Valley of approximately 10,000 dwellings. The proposed City boundaries (Modules A and A2 on Figure 1) encompass the western portion of the Goleta Valley, including the Bacara Resort and Venoco oil processing facility.



Land within the City of Santa Barbara, including the Santa Barbara Airport, is excluded from the proposal.

Module B consists of the University of California at Santa Barbara (UCSB) and community of Isla Vista. Module C consists of the eastern portion of the Goleta Valley between Module A and the City of Santa Barbara (excluding Hope Ranch). All three options (Modules A, B, C) are contained entirely within the Urban Development Line of the adopted Goleta Community Plan.

3.0 ENVIRONMENTAL SETTING

Located generally northwest of the existing City of Santa Barbara boundaries, and extending toward the northern foothills, the proposed incorporation area lies between the Pacific Ocean and the east-west trending Santa Ynez Mountains. Including a coastline of approximately 10 miles that is characterized by steep coastal bluffs rising sharply from the ocean's edge, the proposed incorporation area includes a variety of natural features and land uses ranging from vacant and agricultural to residential and commercial/industrial.

With mean winter and summer daytime temperatures ranging between 65 and 78 degrees, the region is noted for its mild Mediterranean climate, which is moderated by the combined effects of the adjacent ocean and encirclement of mountains, hills and islands. With several earthquake faults traversing the region, it is not uncommon for the area to experience periodic seismic activity. Segments of the proposed incorporation area are also subject to hazards related to wildfire, liquefaction, landslides, and flooding. The proposed incorporation area is composed of a diverse array of distinct but inter-related habitats and ecological communities including the marine and coastal environments, wetlands, scrub and woodland habitats, and freshwater streams. A number of parks, beaches, trails and open spaces provide opportunities for active and passive recreation.

Prehistoric resources within the proposed incorporation area relate primarily to Native American cultures that reportedly inhabited the region as long ago as 9,000 years before present. The area's historic period is noted to have begun in the 18th century with the landing of the Spanish. The proposed incorporation area includes various sites that contain or potentially contain both prehistoric and historic resources.

Numerous creeks and their tributaries span the proposed incorporation area. However, the municipal water supply is derived principally from Lake Cachuma, a man-made reservoir constructed on the Santa Ynez River, along with deliveries from the State Water Project and from the Goleta Ground Water Basin.

Roughly bisecting the area lengthwise are U.S. Highway 101 and the Union Pacific Railroad line that is generally parallel and adjacent to the six-lane highway. The County's Scenic Highways Element indicates that the entire length of U.S. Highway 101 throughout the Goleta Valley is eligible for scenic highway status.

PROPERTY CHARACTERISTICS



	GoletaNow! Proposal	LAFCO Study Modules	
	Module A	Module B	Module C
Assessor's Parcel Number	Due to the extensive number, individual parcel numbers are not included within this document, but are available under separate cover at LAFCO, located at 105 East Anapamu Street.		
General Plan Designation	Single- and multi-family residential, commercial, industrial, community facility, and open land uses.		
Zoning	Single- and multi-family residential, commercial, industrial, and open space uses including agriculture, resource management, recreation, and mountainous areas.		
Existing Land Use	Single- and multi-family residential, commercial, industrial, agricultural, vacant land, public facilities, and open space (parks).		
Proposed Land Use	No land use designation changes are proposed.		
Slope	Varies from flat to mountainous.	Varies from flat to steep hillside terrain.	Varies from flat to mountainous.



PLANS AND POLICIES DISCUSSION

The purpose of this section of the Initial Study is to outline existing plans, policies, and regulations adopted for the purpose of avoiding or mitigating an environmental effect and provide a consistency analysis of the proposed project with any such plans, policies, and regulations.

County of Santa Barbara Plans and Policies

The *GoletaNow!*'s application to LAFCO states and state law requires that the incorporated City will adopt existing County zoning designations for all the areas subject to incorporation. Neither *GoletaNow!* nor LAFCO are proposing any changes to any land use or development plans, policies, guidelines, or regulations. Indeed, LAFCO is prohibited from doing so as a condition of approval per California Government Code Section 56844. It is anticipated that the new City will initiate a comprehensive update of the Comprehensive Plan/General Plan for the new City that will be subject to full CEQA review.

The County's Comprehensive Plan establishes the land uses for the area proposed to be incorporated and includes single- and multi-family residential, commercial, industrial, and open space uses including, agriculture, resource management, and recreation (Figure 3). The incorporation would be consistent with the present land use designations because no change to the County's Comprehensive Plan for the incorporated areas is proposed in conjunction with the incorporation application.

GoletaNow! proposes that the new city adopt all applicable sections of the County Code of Regulations Articles III as well as all other effective County ordinances and regulations for the proposed incorporation areas. The incorporation would, by definition, be consistent with County plans and policies in that no changes are being proposed at this time.

Previous Environmental Review

The proposed incorporation area has been subject to previous environmental review. Environmental review has occurred on both a programmatic level with the Goleta Valley Community Plan EIR and on a project specific level for individual development projects previously proposed within the incorporation area. The discussion below focuses on programmatic level environmental review, which provides a more comprehensive, cumulative view of environmental issues and constraints within the proposed incorporation area. The territory within the proposed incorporation was analyzed under the Goleta Community Plan EIR (certified in 1993). For this reason, the discussion below focuses on the Goleta Community Plan EIR.

Goleta Community Plan EIR (1993)

The Goleta community is an urban area that is already largely developed and planned for further development. In 1993, the County of Santa Barbara certified the Goleta Community Plan EIR which addressed issues over an approximately 35,000 acre area bounded by the City of Santa Barbara and State Highway 154 to the east, the Pacific Ocean to the south, Eagle Canyon to the west and Camino Cielo Road to the north. It is the intent of the Goleta Community Plan to provide a framework for community planning for decision-makers, the community, and landowners. The Goleta Community Plan EIR identified and mitigated to the degree feasible environmental impacts in a full range of issue



areas. The County Board of Supervisors adopted findings and a statement of overriding consideration and benefit for the Goleta Community Plan EIR.

The specific impacts of buildout under the Goleta Community Plan are described below. The potential impacts associated with possible future development in Goleta have already been identified and mitigated to the degree feasible in the Goleta Community Plan EIR. Identified mitigation measures in the Goleta Community Plan EIR and all applicable policies would continue to be applied to development proposals until such time as the newly created City and newly elected City council adopt a new General Plan, Zoning Ordinance, and Charter Amendments to regulate development.

Biology. The Community Plan EIR identified biological resource impacts associated with Plan buildout as unavoidably significant because of the potential loss of oak woodlands, wetlands, such as Devereux and Goleta Sloughs, and native grasslands and indirect effects to sensitive wildlife species such as the black-shouldered kite and monarch butterfly. Such impacts could also occur if a portion of Goleta is incorporated; however, the potential for impacts to biological resources would not increase as a result of either of the incorporation proposals.

Cultural Resources. The Goleta Community Plan EIR identified cultural resource impacts associated with Plan buildout as unavoidably significant because of the uncertainty as to whether historic or prehistoric resources occur on individual properties that could be developed in the future. Impacts would need to be addressed on a project-by-project basis to confirm whether or not significant effects would actually occur. Cultural resource impacts could also occur if a portion of Goleta is incorporated; however, the potential for impacts to cultural resources would not increase as a result of the proposed incorporation.

Geology. The Goleta Community Plan EIR identified geologic impacts associated with Plan buildout as unavoidably significant because of the potential for development on slopes in excess of 30 percent, potential bluff failure or retreat in Isla Vista, and potential seismic impacts to possible development within 50 feet of the More Ranch and Mesa faults. Similar geologic and seismic impacts could also occur if a portion of Goleta is incorporated; however, the potential for such impacts would not increase as a result of the proposed incorporation.

Agricultural Land Conversion. The Goleta Community Plan EIR found impacts relating to the potential conversion of up to 238 acres of agricultural land to urban uses to be unavoidably significant. Such impacts could also occur if a portion of Goleta is incorporated; however, the proposed incorporation would not increase the potential for agricultural conversion as compared to what could occur under County jurisdiction.

Noise. The Goleta Community Plan EIR identified noise impacts as unavoidably significant because of potential exposure of residences and other noise-sensitive uses to sound levels exceeding 65 dBA Ldn or to significant noise increases from both operations at Santa Barbara Airport and traffic on several area roadways, including Turnpike Road, Los Carneros Road, Cathedral Oaks Road, and El Colegio Road. Similar impacts and compatibility issues could also arise if a portion of Goleta is incorporated; however, the potential for noise impacts and compatibility issues would not increase as a result of the proposed incorporation.



Aesthetics/Open Space. The possible aesthetic effects of buildout of the Goleta Community Plan have been identified based on reasonable worst-case assumptions and mitigated to the degree feasible in the Goleta Community Plan EIR. The EIR determined that aesthetic impacts associated with Goleta Community Plan buildout would be unavoidably significant because of the change in community character and loss of open space. Such aesthetic impacts could also occur if a portion of Goleta is incorporated; however, the potential for aesthetic impacts would not increase as a result of the proposed incorporation.

Hazards/Risk of Upset. The Goleta Community Plan EIR identified geologic impacts associated with Plan buildout as unavoidably significant because of the potential for residential development in and west of Old Goleta, which has a high concentration of businesses that use or store hazardous materials (specifically, 112 businesses in this area were required to file Hazardous Material Business Plans [HMBPs] in 1992). Similar exposure to potential hazards could also occur if a portion of Goleta is incorporated; however, the potential for such impacts would not increase as a result of the proposed incorporation.

Polluting Sources/Risk of Upset. The Goleta Community Plan EIR identified risk of upset impacts associated with Plan buildout as unavoidably significant because of the potential for residential development in and west of Old Goleta, which has a high concentration of businesses that use or store hazardous materials (specifically, 112 businesses in this area were required to file Hazardous Material Business Plans [HMBPs] in 1992). Similar exposure to potential hazards could also occur if a portion of Goleta is incorporated. However, the potential for such impacts would not increase as a result of the proposed incorporation.

Water Supply. The Goleta Community Plan EIR identified drainage and flooding impacts associated with Plan buildout as significant but mitigable, though mitigation for flooding impacts could have secondary biological and water quality impacts. Water quality and associated biological resource impacts associated with Plan buildout were determined to be significant and unavoidable. Specifically, potentially unavoidable impacts were identified for the Devereux and Goleta Sloughs, and for Lower Atascadero and Maria Ygnacia Creeks. Similar drainage, flooding, and water quality impacts could also occur if a portion of Goleta is incorporated; however, the potential for such impacts not increase as a result of the proposed incorporation.

Traffic. The Goleta Community Plan EIR identified traffic impacts associated with Plan buildout as unavoidably significant because 16 study area intersections would operate at unacceptable levels during the PM peak hour and because traffic levels on 16 study area road segments would approach or exceed road capacity. Similar traffic impacts could also occur if a portion of Goleta is incorporated; however, the potential for such impacts would not increase as a result of the proposed incorporation.

Air Quality. The Goleta Community Plan EIR identified air quality impacts associated with Plan buildout as unavoidably significant due to both temporary emissions from construction activity and operational emissions from motor vehicles and other sources. Similar air quality impacts could also occur if a portion of Goleta is incorporated; however, the potential for such impacts would not increase as a result of the proposed incorporation.



Public Services. The Goleta Community Plan EIR identified impacts associated with Plan buildout as unavoidably significant for fire protection, schools, and solid waste facilities. Impacts to law enforcement were determined to be significant, but mitigable. Such impacts could also occur if a portion of Goleta is incorporated. The proposed incorporation would not increase the level of demand for these services as compared to buildout under County jurisdiction; however, it could alter the way certain services are provided by shifting responsibility for service provision from the County to the newly formed City.

Parks, Recreation, and Trails. The Goleta Community Plan EIR identified park and recreational impacts associated with Plan buildout as unavoidably significant because of a possible lack of funding to provide adequate park facilities to serve the area's growing population. The proposed incorporation would not increase the level of demand for recreational facilities as compared to buildout under County jurisdiction; however, it could alter the way park and recreational services are provided by shifting responsibility for these services from the County to the newly formed City.

Future Environmental Review

This Initial Study examines the potential environmental effects associated with the proposed incorporation of areas located north and west of the existing City of Santa Barbara boundaries. Existing County ordinances are required by Government Code Section 57376 to be adopted in their entirety by the new city council and will remain in effect and applicable to the incorporated area until such time as the City Council adopts a new General Plan and Zoning Ordinance applicable to development.

Any proposed changes to the General Plan, Zoning Ordinance, Charter, or any other plan, policy, guideline, or regulation to regulate development would be subject to environmental review as required under the California Environmental Quality Act (CEQA) at the time any such change is proposed. This will provide for a thorough and timely review of all potential environmental effects associated with any such change.

4.0 POTENTIALLY SIGNIFICANT EFFECTS CHECKLIST

The following checklist indicates the potential level of impact and is abbreviated as follows:

Known Signif.: Known significant environmental impacts.

Unknown Poten. Signif.: Unknown potentially significant impacts which need further review to determine significance level.

Poten. Signif. and Mitig.: Potentially significant impacts which can be mitigated to less than significant levels.

Not Signif.: Impacts which are not considered significant.

Reviewed Under Previous Document: The analysis contained in a previously adopted/certified environmental document addresses this issue adequately for use in the current case. Discussion should include reference to the previous documents, a citation of the page or pages where the information is found, and identification of mitigation measures incorporated from those previous



documents. NOTE: Where applicable, this box should be checked in addition to the one indicating significance of the potential environmental impact.



4.1 AESTHETICS/VISUAL RESOURCES

Will the proposal result in:	Known Signif.	Unknown Poten. Signif.	Poten. Signif. and Mitig.	Not Signif.	Reviewed Under Previous Document
a. The obstruction of any scenic vista or view open to the public or the creation of an aesthetically offensive site open to public view?				X	
b. Change to the visual character of an area?				X	
c. Glare or night lighting which may affect adjoining areas?				X	
d. Visually incompatible structures?				X	

Impact Discussion: No changes to existing County plans, policies, guidelines, or development regulations are proposed. Therefore, aesthetics/visual resources would not be significantly affected by the proposed incorporation proposal.

Mitigation and Residual Impact: No mitigation measures are required. Residual impacts would be insignificant.

4.2 AGRICULTURAL RESOURCES

Will the proposal:	Known Signif.	Unknown Poten. Signif.	Poten. Signif. and Mitig.	Not Signif.	Reviewed Under Previous Document
a. Convert prime agricultural land to non-agricultural use, impair agricultural land productivity (whether prime or non-prime) or conflict with agricultural preserve programs?				X	
b. An effect upon any unique or other farmland of State or Local Importance?				X	

Impact Discussion: The area proposed for incorporation includes agricultural and open space areas contained and analyzed in the Goleta Community Plan EIR.

Lands zoned for Agriculture, AG-I and AG-II are shown in Figure 6. Under incorporation, no changes to existing County plans, policies, guidelines, or development regulations are proposed. Therefore, the proposed change in government organization would not directly result in the conversion of agricultural lands to non-agricultural uses, and impacts would be less than significant.

The proposed incorporation does not propose any changes to the existing special districts. The governing boards oversee the ongoing provision of services, the rate structure and plans for future extensions of services.



The Goleta Water District serves this area with substantially reduced rates for agricultural uses (Figure 7). It is anticipated that agricultural water rates will not be affected by the proposed incorporation.

Mitigation and Residual Impact: No mitigation required. Residual impacts would be less than significant.

4.3 AIR QUALITY

Will the proposal result in:	Known Signif.	Unknown Potent. Signif.	Poten. Signif. And Mitig.	Not Signif.	Reviewed Under Previous Document
a. The violation of any ambient air quality standard, a substantial contribution to an existing or projected air quality violation including, CO hotspots, or exposure of sensitive receptors to substantial pollutant concentrations (emissions from direct, indirect, mobile and stationary sources)?				X	
b. The creation of objectionable smoke, ash or odors?				X	
c. Extensive dust generation?				X	

Impact Discussion: The newly formed City will adopt, in their entirety, and implement current County of Santa Barbara ordinances for the proposed incorporation areas. Therefore, the proposed project would not violate any ambient air quality standard, would not create objectionable smoke, ash, or odors, and would not result in dust generation. The proposed project’s impacts on air quality would be less than significant.

Mitigation and Residual Impact: No mitigation required. Residual impacts would be less than significant.

4.4 BIOLOGICAL RESOURCES

Will the proposal result in:	Known Signif.	Unknown Potent. Signif.	Poten. Signif. And Mitig.	Not Signif.	Reviewed Under Previous Document
Flora					
a. A loss or disturbance to a unique, rare or threatened plant community?				X	
b. A reduction in the numbers or restriction in the range of any unique, rare or threatened species of				X	



Will the proposal result in:	Known Signif.	Unknown Poten. Signif.	Poten. Signif. And Mitig.	Not Signif.	Reviewed Under Previous Document
plants?					
c. A reduction in the extent, diversity, or quality of native vegetation (including brush removal for fire prevention and flood control improvements)?				X	
d. An impact on non-native vegetation whether naturalized or horticultural if of habitat value?				X	
e. The loss of healthy native specimen trees?				X	
f. Introduction of herbicides, pesticides, animal life, human habitation, non-native plants or other factors that would change or hamper the existing habitat?				X	
Fauna					
g. A reduction in the numbers, a restriction in the range, or an impact to the critical habitat of any unique, rare, threatened or endangered species of animals?				X	
h. A reduction in the diversity or numbers of animals onsite (including mammals, birds, reptiles, amphibians, fish or invertebrates)?				X	
i. A deterioration of existing fish or wildlife habitat (for foraging, breeding, roosting, nesting, etc.)?				X	
j. Introduction of barriers to movement of any resident or migratory fish or wildlife species?				X	
k. Introduction of any factors (light, fencing, noise, human presence and/or domestic animals) which could hinder the normal activities of wildlife?				X	

Impact Discussion: The newly formed City will adopt in their entirety, and implement current County of Santa Barbara ordinances for the proposed incorporation area. There would not be any direct physical changes to the environment as a result of the proposed project. Therefore, no significant effects on biological resources would result from the proposed project.

Mitigation and Residual Impact: No mitigation required. Residual impacts would be less than significant.



4.5 CULTURAL RESOURCES

Will the proposal result in:	Known Signif.	Unknown Potent. Signif.	Poten. Signif. And Mitig.	Not Signif.	Reviewed Under Previous Document
Archaeological Resources					
a. Disruption, alteration, destruction, or adverse effect on a recorded prehistoric or historic archaeological site (note site number below)?				X	
b. Disruption or removal of human remains?				X	
c. Increased potential for trespassing, vandalizing, or sabotaging archaeological resources?				X	
d. Ground disturbances in an area with potential cultural resource sensitivity based on the location of known historic or prehistoric sites?				X	
Ethnic Resources					
e. Disruption of or adverse effects upon a prehistoric or historic archaeological site or property of historic or cultural significance to a community or ethnic group?				X	
f. Increased potential for trespassing, vandalizing, or sabotaging ethnic, sacred, or ceremonial places?				X	
g. The potential to conflict with or restrict existing religious, sacred, or educational use of the area?				X	

Impact Discussion: The newly formed City will adopt in their entirety and implement current County of Santa Barbara ordinances for the proposed incorporation areas. Therefore, no physical changes to the environment would occur as a result of the proposed project, and the impacts of the proposed project on cultural resources would be less than significant.

Mitigation and Residual Impact: No mitigation required. Residual impacts would be less than significant.

4.6 ENERGY

Will the proposal result in:	Known Signif.	Unknown Potent. Signif.	Poten. Signif. And Mitig.	Not Signif.	Reviewed Under Previous Document
a. Substantial increase in demand, especially during peak periods, upon existing sources of energy?				X	
b. Requirement for the development or extension of new sources of energy?				X	



Impact Discussion: The newly formed City will adopt, in their entirety, and implement current County of Santa Barbara ordinances for the proposed incorporation areas. In addition, the proposed project would not change the delivery of municipal services in the Goleta Valley and unincorporated areas. Therefore, no significant impacts on energy would result from the proposed project.

Mitigation and Residual Impact: No mitigation required. Residual impacts would be less than significant.

4.7 FIRE PROTECTION

Will the proposal result in:	Known Signif.	Unknown Potent. Signif.	Poten. Signif. And Mitig.	Not Signif.	Reviewed Under Previous Document
a. Introduction of development into an existing high fire hazard area?				X	
b. Project-caused high fire hazard?				X	
c. Introduction of development into an area without adequate water pressure, fire hydrants or adequate access for fire fighting?				X	
d. Introduction of development that will hamper fire prevention techniques such as controlled burns or backfiring in high fire hazard areas?				X	
e. Development of structures beyond safe Fire Dept. response time?				X	

Impact Discussion: The proposed project would not change the method of providing services or the level of fire protection services provided in the Goleta Valley. Therefore, no significant impacts on fire protection would result from the proposed project.

Mitigation and Residual Impact: No mitigation required. Residual impacts would be less than significant.

4.8 GEOLOGIC PROCESSES



Will the proposal result in:	Known Signif.	Unknown Poten. Signif.	Poten. Signif. And Mitig.	Not Signif.	Reviewed Under Previous Document
a. Exposure to or production of unstable earth conditions such as landslides, earthquakes, liquefaction, soil creep, mudslides, ground failure (including expansive, compressible, collapsible soils), or similar hazards?				X	
b. Disruption, displacement, compaction or overcovering of the soil by cuts, fills or extensive grading?				X	
c. Permanent changes in topography?				X	
d. The destruction, covering or modification of any unique geologic, paleontologic or physical features?				X	
e. Any increase in wind or water erosion of soils, either on or off the site?				X	
f. Changes in deposition or erosion of beach sands or dunes, or changes in siltation, deposition or erosion which may modify the channel of a river, or stream, or the bed of the ocean, or any bay, inlet or lake?				X	
g. The placement of septic disposal systems in impermeable soils with severe constraints to disposal of liquid effluent?				X	
h. Extraction of mineral or ore?				X	
i. Excessive grading on slopes of over 20%?				X	
j. Sand or gravel removal or loss of topsoil?				X	
k. Vibrations, from short-term construction or long-term operation, which may affect adjoining areas?				X	
l. Excessive spoils, tailings or over-burden?				X	

Impact Discussion: Under the proposed project, the newly formed City will adopt, in their entirety, and implement current County of Santa Barbara ordinances for the proposed incorporation areas. No direct physical changes to the environment would result from the proposed project. Therefore, the proposed project would not result in any significant impacts on geologic resources or processes found within the incorporation area.

Mitigation and Residual Impact: No mitigation required. Residual impacts would be less than significant.



4.9 HAZARDOUS MATERIALS/RISK OF UPSET

Will the proposal result in:	Known Signif.	Unknown Poten. Signif.	Poten. Signif. And Mitig.	Not Signif.	Reviewed Under Previous Document
a. In the known history of this property, have there been any past uses, storage or discharge of hazardous materials (e.g., fuel or oil stored in underground tanks, pesticides, solvents or other chemicals)?				X	
b. The use, storage or distribution of hazardous or toxic materials?				X	
c. A risk of an explosion or the release of hazardous substances (e.g., oil, gas, biocides, bacteria, pesticides, chemicals or radiation) in the event of an accident or upset conditions?				X	
d. Possible interference with an emergency response plan or an emergency evacuation plan?				X	
e. The creation of a potential public health hazard?				X	
f. Public safety hazards (e.g., due to development near chemical or industrial activity, producing oil wells, toxic disposal sites, etc.)?				X	
g. Exposure to hazards from oil or gas pipelines or oil well facilities?				X	
h. The contamination of a public water supply?				X	

Impact Discussion: The newly formed City will adopt, in their entirety, and implement current County of Santa Barbara ordinances for the proposed incorporation. As a result, the proposed incorporation project would not result in any direct physical changes to the environment. In addition, the project would not involve use, storage, or handling of hazardous materials. No significant impacts related to hazardous materials are expected as a result of the proposed project.

Mitigation and Residual Impact: No mitigation required. Residual impacts would be less than significant.

4.10 HISTORIC RESOURCES

Will the proposal result in:	Known Signif.	Unknown Poten. Signif.	Poten. Signif. And Mitig.	Not Signif.	Reviewed Under Previous Document



Will the proposal result in:	Known Signif.	Unknown Potent. Signif.	Poten. Signif. And Mitig.	Not Signif.	Reviewed Under Previous Document
a. Adverse physical or aesthetic impacts on a structure or property at least 50 years old and/or of historic or cultural significance to the community, state or nation?				X	
b. Beneficial impacts to an historic resource by providing rehabilitation, protection in a conservation/open easement, etc.?				X	

Impact Discussion: The newly formed City will adopt, in their entirety, and implement current County of Santa Barbara ordinances for the proposed incorporation area. Therefore, no significant effects on historic resources would result from the proposed project.

Mitigation and Residual Impact: No mitigation required. Residual impacts would be less than significant.

4.11 LAND USE

Will the proposal result in:	Known Signif.	Unknown Potent. Signif.	Poten. Signif. And Mitig.	Not Signif.	Reviewed Under Previous Document
a. Structures and/or land use incompatible with existing land use?				X	
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X	
c. The induction of substantial growth or concentration of population?				X	
d. The extension of sewer trunk lines or access roads with capacity to serve new development beyond this proposed project?				X	



Will the proposal result in:	Known Signif.	Unknown Poten. Signif.	Poten. Signif. And Mitig.	Not Signif.	Reviewed Under Previous Document
e. Loss of existing affordable dwellings through demolition, conversion or removal?				X	
f. Displacement of substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X	
g. Displacement of substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X	
h. The loss of a substantial amount of open space?				X	
i. An economic or social effect that would result in a physical change? (i.e. Closure of a freeway ramp results in isolation of an area, businesses located in the vicinity close, neighborhood degenerates, and buildings deteriorate. Or, if construction of new freeway divides an existing community, the construction would be the physical change, but the economic/social effect on the community would be the basis for determining that the physical change would be significant.)				X	
j. Conflicts with adopted airport safety zones?				X	

Impact Discussion:

The newly formed City will adopt, in their entirety, and implement current County of Santa Barbara ordinances for the proposed incorporation area. No changes to existing County plans, policies, guidelines, or development regulations are proposed within the *GoletaNow!* or LAFCO incorporation proposals.

The proposed *GoletaNow!* incorporation would change governmental structures for the areas to be incorporated. The proposed incorporation would create a City Council comprised of five members elected at large from the incorporation area to make governmental decisions currently made by the five County Supervisors elected by districts from throughout Santa Barbara County.

The proposed incorporation would not enable development beyond that currently allowed under existing applicable County of Santa Barbara land use plans and policies. Most of the proposed incorporation area is already defined as an urban area that is already largely developed. Further development and incorporation would not induce additional growth beyond what could already occur under the County’s jurisdiction (Figure 4). The proposed incorporation area also includes the AG-1 and AG-II; Agriculture zoned areas within western Goleta. While incorporation of the western portion of Goleta could improve access to urban services, growth would not be beyond what could already occur under the County’s jurisdiction.



Therefore, no changes in land use would result from the proposed project, and no significant impacts on land use would result from the proposed project. Any future changes in the general plan or zoning would be subject to compliance with CEQA at that time.

Mitigation and Residual Impact: No mitigation required. Residual impacts would be less than significant.

4.12 NOISE

Will the proposal result in:	Known Signif.	Unknown Potent. Signif.	Poten. Signif. and Mitig.	Not Signif.	Reviewed Under Previous Document
a. Long-term exposure of people to noise levels exceeding County thresholds (e.g. locating noise sensitive uses next to an airport)?				X	
b. Short-term exposure of people to noise levels exceeding County thresholds?				X	
c. Project-generated substantial increase in the ambient noise levels for adjoining areas (either day or night)?				X	

Impact Discussion: The newly formed City will adopt, in their entirety, and implement current County of Santa Barbara ordinances for the proposed incorporation area. Therefore, no significant short- or long-term noise impacts would result from the proposed project.

Mitigation and Residual Impact: No mitigation required. Residual impacts would be less than significant.

4.13 PUBLIC FACILITIES

Will the proposal result in:	Known Signif.	Unknown Potent. Signif.	Poten. Signif. and Mitig.	Not Signif.	Reviewed Under Previous Document
a. A need for new or altered police protection and/or health care services?				X	
b. Student generation exceeding school capacity?				X	
7c. Significant amounts of solid waste or breach any national, state, or local standards or thresholds relating to solid waste disposal and generation (including recycling facilities and existing landfill capacity)?				X	



d. A need for new or altered sewer system facilities (sewer lines, lift-stations, etc.)?				X	
--	--	--	--	---	--



Impact Discussion: Under the proposed project specific municipal service obligations would be transferred from the County to the new City. Initially many services are likely to be provided by contract with the County or other entities. Additional services may be provided by the new City at a future point in time. Therefore, since either the County or the newly formed City would be providing municipal services at all times, the proposed project would not change the delivery of municipal services in the proposed incorporation areas.

Mitigation and Residual Impact: No mitigation required. Residual impacts would be less than significant.

4.14 RECREATION

Will the proposal result in:	Known Signif.	Unknown Potent. Signif.	Poten. Signif. and Mitig.	Not Signif.	Reviewed Under Previous Document
a. Conflict with established recreational uses of the area?				X	
b. Conflict with biking, equestrian and hiking trails?				X	
c. Substantial impact on the quality or quantity of existing recreational opportunities (e.g., overuse of an area with constraints on numbers of people, vehicles, animals, etc. which might safely use the area)?				X	

Impact Discussion: The newly formed City will adopt in their entirety, and implement current County of Santa Barbara ordinances for the proposed incorporation area. Since no land use changes would result from the proposed project, no significant impacts on recreation would result from the proposed project.

Mitigation and Residual Impact: No mitigation required. Residual impacts would be less than significant.

4.15 TRANSPORTATION/CIRCULATION

Will the proposal result in:	Known Signif.	Unknown Potent. Signif.	Poten. Signif. and Mitig.	Not Signif.	Reviewed Under Previous Document
a. Generation of substantial additional vehicular movement (daily, peak-hour, etc.) in relation to existing traffic load and capacity of the street system?				X	
b. A need for private or public road maintenance, or need for new road(s)?				X	



Will the proposal result in:	Known Signif.	Unknown Poten. Signif.	Poten. Signif. and Mitig.	Not Signif.	Reviewed Under Previous Document
c. Effects on existing parking facilities, or demand for new parking?				X	
d. Substantial impact upon existing transit systems (e.g. bus service) or alteration of present patterns of circulation or movement of people and/or goods?				X	
e. Alteration to waterborne, rail or air traffic?				X	
f. Increase in traffic hazards to motor vehicles, bicyclists or pedestrians (including short-term construction and long-term operational)?				X	
g. Inadequate sight distance?				X	
Ingress/egress?				X	
General road capacity?				X	
emergency access?				X	
h. Impacts to Congestion Management Plan system?				X	

Impact Discussion: The newly formed City will adopt, in their entirety, and implement current County of Santa Barbara ordinances for the proposed incorporation area. As a result, no direct physical changes to the environment would result from the proposed project. Therefore, no significant impacts to transportation/circulation would be generated by the proposed project.

Mitigation and Residual Impact: No mitigation required. Residual impacts would be less than significant.

4.16 WATER RESOURCES/FLOODING

Will the proposal result in:	Known Signif.	Unknown Poten. Signif.	Poten. Signif. and Mitig.	Not Signif.	Reviewed Under Previous Document
a. Changes in currents, or the course or direction of water movements, in either marine or fresh waters?				X	
b. Changes in percolation rates, drainage patterns or the rate and amount of surface water runoff?				X	
c. Change in the amount of surface water in any water body?				X	
d. Discharge into surface waters, or alteration of surface water quality, including but not limited to temperature, dissolved oxygen, turbidity, or thermal water pollution?				X	
e. Alterations to the course or flow of flood water or need for private or public flood control projects?				X	



Will the proposal result in:	Known Signif.	Unknown Poten. Signif.	Poten. Signif. and Mitig.	Not Signif.	Reviewed Under Previous Document
f. Exposure of people or property to water related hazards such as flooding (placement of project in 100 year flood plain), accelerated runoff or tsunamis?				X	
g. Alteration of the direction or rate of flow of groundwater?				X	
h. Change in the quantity of groundwater, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations or recharge interference?				X	
i. Overdraft or overcommitment of any groundwater basin? Or, a significant increase in the existing overdraft or overcommitment of any groundwater basin?				X	
j. The substantial degradation of groundwater quality including saltwater intrusion?				X	
k. Substantial reduction in the amount of water otherwise available for public water supplies?				X	

Impact Discussion: The newly formed City will adopt, in their entirety, and implement current County of Santa Barbara ordinances for the proposed incorporation area. In addition, the delivery of municipal services would not be altered by the proposed project. Therefore, no significant impacts to water resources/flooding would occur as a result of the proposed project.

Mitigation and Residual Impact: No mitigation required. Residual impacts would be less than significant.

5.0 INFORMATION SOURCES

5.1 Santa Barbara LAFCO

5.2 County Departments Consulted

Police, Fire, Public Works, Flood Control, Parks, Environmental Health, Special Districts, Regional Programs

5.3 Comprehensive Plan

_____ Seismic Safety/Safety Element	_____ Conservation Element
_____ Open Space Element	_____ Noise Element
_____ Coastal Plan and Maps	_____ Circulation Element
_____ ERME	_____



5.4 Other Sources

<input type="checkbox"/>	Field work	<input type="checkbox"/>	Ag Preserve maps
<input type="checkbox"/>	Calculations	<input type="checkbox"/>	Flood Control maps
<input type="checkbox"/>	Project plans	<input type="checkbox"/>	Other technical references (reports, survey, etc.)
<input type="checkbox"/>	Traffic studies	<input checked="" type="checkbox"/>	Planning files, maps, reports
<input type="checkbox"/>	Records	<input checked="" type="checkbox"/>	Zoning maps
<input type="checkbox"/>	Grading plans	<input type="checkbox"/>	Soils maps/reports
<input type="checkbox"/>	Elevation, architectural renderings	<input type="checkbox"/>	Plant maps
<input type="checkbox"/>	Published geological map/reports	<input type="checkbox"/>	Archaeological maps and reports
<input type="checkbox"/>	Topographical maps	<input checked="" type="checkbox"/>	Other -see Section 5.4

5.5 Sources

The following sources used in the preparation of this Initial Study are located at the Santa Barbara LAFCO, 105 East Anapamu Street, Santa Barbara and are available for review upon request.

California Environmental Quality Act (CEQA) & State, County and City CEQA Guidelines

Goleta*Now!* Application to LAFCO, 1999

Preliminary Comprehensive Fiscal Analysis (CFA) of the Proposed Incorporation of Goleta, 2000

Santa Barbara County Certified Local Coastal Plan, 1982, revision thru 1995

Santa Barbara County, Goleta Community Plan, 1993

Santa Barbara County, Goleta Community Plan Final Environmental Impact Report, 1992

Santa Barbara County, Goleta Old Town Revitalization Plan, 1997

Santa Barbara County, Goleta Old Town Revitalization Plan Final EIR, 1997

Santa Barbara LAFCO Special District Maps, Directory of Local Agencies, 1999

Santa Barbara County Article II of Chapter 35 of the County Code Zoning Ordinance & Zoning Map, 1997

6.0 PROJECT SPECIFIC (short- and long-term) AND CUMULATIVE IMPACT SUMMARY



Under the Goleta*Now!* incorporation proposal the new City would adopt the existing Goleta Community Plan and other applicable County land use plans, policies, guidelines, and regulations in their entirety. In addition, development potential would be the same as that currently allowed under the County jurisdiction for the project area until the new City and newly elected City Council adopt a new General Plan, Zoning Ordinance, and Charter Amendments to regulate development within the incorporated area.

Furthermore, the services currently provided by the County of Santa Barbara within incorporation areas would be provided by the new City at a level equal to the current levels. Therefore, since there would be no changes in land use designations, zoning designations, policies, guidelines, or development regulations, and since services would be provided at a level equal to the current level, no short- or long-term cumulative impacts are anticipated.

7.0 MANDATORY FINDINGS OF SIGNIFICANCE

	Known Signif.	Unknow n Poten. Signif.	Poten. Signif. and Mitig.	Not Signif.	Reviewed Under Previous Documen t
1. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				X	
2. Does the project have the potential to achieve short-term to the disadvantage of long-term environmental goals?				X	
3. Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects and the effects of probable future projects.)				X	
4. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				X	



5. Is there disagreement supported by facts, reasonable assumptions predicated upon facts and/or expert opinion supported by facts over the significance of an effect which would warrant investigation in an EIR ?				X	
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8.0 PROJECT ALTERNATIVES

Modules B (UCSB and Isla Vista) and C (eastern portion of Goleta Valley) are two alternate proposals that are under consideration for incorporation. Neither of the alternatives involve land use changes, and under both alternatives the new City would adopt the existing Goleta Community Plan and other applicable County land use plans, policies, guidelines, and regulations for the proposed incorporation area in their entirety.

The Santa Barbara LAFCO will select a preferred alternative, and the alternatives will be dismissed. Eventually, the preferred incorporation proposal will be placed on a ballot, possibly in November 2001.

9.0 INITIAL REVIEW OF PROJECT CONSISTENCY WITH APPLICABLE SUBDIVISION, ZONING AND COMPREHENSIVE PLAN REQUIREMENTS

Under the incorporation proposal, the new City would adopt the existing Goleta Community Plan and other applicable County land use plans, policies, guidelines, and regulations for the proposed incorporation area in their entirety. No changes in land use designations, zoning designations, policies, guidelines, or development regulations from those currently imposed by the County of Santa Barbara are proposed as part of the incorporation. In addition, development potential would be the same as that currently allowed under the County jurisdiction for the project area until the new City and newly elected City Council adopt a new General Plan, Zoning Ordinance, and Charter Amendments to regulate development within the incorporated area. Therefore, the proposed incorporation proposal is consistent with applicable subdivision, zoning, and Comprehensive Plan Requirements.

10.0 RECOMMENDATION BY CONSULTING STAFF

On the basis of the Initial Study, the Consulting staff:

 X Finds that the proposed project WILL NOT have a significant effect on the environment and, therefore, recommends that a Negative Declaration (ND) be prepared.

 Finds that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures incorporated into the REVISED PROJECT DESCRIPTION would successfully mitigate the potentially significant impacts. Staff recommends the preparation of an ND. The ND finding is based



on the assumption that mitigation measures will be acceptable to the applicant; if not acceptable a revised Initial Study finding for the preparation of an EIR may result.

_____ Finds that the proposed project MAY have a significant effect on the environment, and recommends that an EIR be prepared.

_____ Finds that from existing documents (previous EIRs, etc.) that a subsequent document (containing updated and site-specific information, etc.) pursuant to CEQA Sections 15162/15163/15164 should be prepared.

Potentially significant unavoidable adverse impact areas: N/A

 X With Public Hearing _____ Without Public Hearing

PROJECT EVALUATOR: _____ **DATE:** _____

Janna Minsk, Project Manager
Rincon Consultants, Inc.

11.0 DETERMINATION BY LAFCO EXECUTIVE OFFICER

_____ I agree with consultant's conclusions. Preparation of the appropriate document may proceed.

_____ I DO NOT agree with conclusions. The following actions will be taken:

_____ I require consultation and further information prior to making my determination.

LEAD AGENCY SIGNATURE: _____ **(original signed)** _____

DATE: _____

Bob Braitman, Executive Officer

12.0 ATTACHMENTS

Figure 1	Proposed City of Goleta Boundaries
Figure 2	County Service Areas 3 and 31
Figure 3	Land Use Designations within the Incorporation Area
Figure 4a	Zoning within the Incorporation Area
Figure 4b	Zoning within the Incorporation Area
Figure 5	Goleta Old Town
Figure 6	Lands within the Incorporation Area that are Zoned for Agricultural Use



Figure 7 Goleta Water District Service Areas
Figure 8 Goleta and Goleta West Sanitary Districts, Embarcadero Municipal
Improvement District



APPENDIX A
COMMENTS RECEIVED DURING THE PUBLIC REVIEW PERIOD
AND RESPONSE TO COMMENTS

This appendix includes the comment letters received on the Draft Negative Declaration (ND) and a response to the chief concerns expressed in those letters and during the public hearings on the ND. Santa Barbara LAFCO received twelve comment letters during the Draft ND review period that extended from February 22, 2001 to April 12, 2001.

Comment letters received are listed below. Each letter is numbered. Following the comment letters received are the responses to comments. Due to the similar nature of the comments, the responses have been grouped by topic. Those commenting on the Draft ND include:

Commentor:

1. **State of California Governor's Office of Planning and Research (letter dated April 12, 2001)**
2. **State Department of Conservation, Office of Governmental and Environmental Relations (letter dated April 11, 2001)**
3. **John Patton, Director, County of Santa Barbara Planning and Development (letter dated March 23, 2001)**
4. **Thomas Stone, General Counsel Isla Vista Recreation & Parks District (letter dated March 26, 2001)**
5. **Bob Braitman, Executive Officer, Santa Barbara LAFCO (letter dated March 25, 2001)**
6. **Steve Amerikaner, General Counsel for the Goleta West Sanitary District (letter dated April 12, 2001)**
7. **Jack Easterbrook (email dated April 10, 2001)**
8. **Eric Dupre, General Counsel for Bacara Resort & Spa and Sandpiper at SBCR, LLC (letter dated April 12, 2001)**
9. **Chris Hartman, Committee for Adequate Environmental Review (letter dated April 12, 2001)**
10. **David Sangster (letter dated April 10, 2001)**
11. **Ken Taylor, et al, We Want Better Government (letter dated April 10, 2001)**
12. **Mark Manion, General Counsel for Westfield LLC (letter dated April 10, 2001)**





The response to comments have been organized by topic as follows:

Project Description

Several comments received indicated that the draft ND did not properly describe the project being considered by LAFCO for incorporation because of the uncertainty over the proposed incorporation boundaries. The project description, in the draft ND embraced the entire study area under review by LAFCO for inclusion within the boundaries of a new city of Goleta. In the final ND, the project description will reflect the boundaries approved by LAFCO for the proposed Incorporation of the City of Goleta. The change in the project description to reflect LAFCO's selection for the proposed city from within the study area will not change the conclusions contained in the final ND or requires recirculation.

Inclusion of Property Outside of the Urban Boundary

Comments received question the inclusion of land for incorporation that is outside of the urban boundary established by the Goleta Community Plan. Specifically mentioned was vacant property adjacent to the Glen Annie Golf Course and the golf course itself, both of which are outside of the urban boundary. The golf course use was allowed by County approval of a Conditional Use Permit. If these lands are included within the newly incorporated city, the newly incorporated city will adopt the current general plan and land use designations for these parcels, so no change in current land use designations would result. The zoning and land use designation for these parcels are agriculture, which would not change if these lands were included within the proposed incorporation boundaries.

The proposed project is the incorporation of an area within the Goleta Valley, which would result in a change in governmental organization and not a change in land use. The Glen Annie Golf Course currently receives urban services such as sewer and water service due to the "urban" recreational nature and type of land use. The adjacent parcel overlaps the urban/rural boundary, and due to its location, also is next to urban services. Conversion of these lands to another land use would be speculative and under CEQA section 15144, "Forecasting, [a] n agency cannot be expected to predict the future course of governmental regulation or exactly what information scientific advances may ultimately reveal."

The sphere of influence will be determined by LAFCO at a later date, within a year of the effective date of the incorporation. Therefore, any discussion of potential spheres is premature and speculative.

Water Quality

A comment was received requesting a discussion of water quality be included in the ND. Sewage treatment in the Goleta area is carried out by the Goleta Sanitary District and Goleta West Sanitary District. Wastewater leaving the water treatment plant meets current State and federal drinking water requirements. Water treatment quality would not change with the proposed project.



Inclusion of Land Currently Under Williamson Act

The County Planning & Development Department has indicated there are no Land Conservation Act contracts within the proposed incorporation area. The proposed project involves incorporation of a city, not annexation as suggested by the letter from the Department of Conservation. If Williamson Act lands were included within the newly incorporated city, the new city would comply with all Williamson Act regulations as required by law.

Tiering of the Negative Declaration from Goleta Community Plan EIR

Comments received have made an assumption that the ND prepared for this project has been “tiered” from the Goleta Community Plan EIR. Several letters have made reference to CEQA Section 15153, Use of an EIR from an Earlier Project, which allows a lead agency to use an EIR from an earlier project as the EIR for a separate later project if the circumstances are essentially the same. If this course of action were to be followed there are specific procedures for such use. However, the ND prepared for this project is not tiered from the Goleta Community Plan EIR.

The ND prepared for this project is an independent document that has analyzed the potential environmental impacts as required by CEQA for the incorporation of a new city in the Goleta Valley. However, the ND does contain a discussion of plans and policies that have been adopted by Santa Barbara County and the Goleta Community for the land under consideration by the incorporation proposal. The purpose of including a discussion of these adopted plans and policies in the ND is to inform the public of the obligation of the newly incorporated city to adopt these existing County ordinances in their entirety as required by Government Code Section 57376. These County ordinances will remain in effect until such time as the new City Council adopts a new General Plan and Zoning Ordinance applicable to development.

As one comment noted, the legislative history of AB 2838, the revision to the Cortese-Knox-Hertzberg Act, identified when a negative declaration should be appropriate for incorporation:

While there are certainly many situations where an incorporation may be no more than drawing a line on a map through an already built-out area where no environmental impact is foreseeable, there are also situations where an incorporation involves projecting an urban boundary into a previously undeveloped or lightly developed area. In the former case, CEQA already has a mechanism, the negative declaration that allows the incorporation to proceed without requiring an environmental impact report (EIR). In the latter case, courts have established that when a reorganization decision may act as a catalyst for additional development (City of Antioch v. City Council (1986) 187 Cal.App.3d. 1325, 1337), serve as a necessary first step towards bringing development plans to fruition (Christward Ministry v. Superior Court (1984) Cal.App.3d. 180, 195, or be a commitment to a change in use (City of Carmel-by-



the-Sea v. Board of Supervisors (1986) 183 Cal. App. 3d. 229,243-44, then an EIR may be required.

This incorporation falls within the former case. It is within an urban area with an adopted community plan for residential, commercial and industrial development. No changes in land use are contemplated by the project as in the case requiring an EIR. In contrast to this incorporation where the new city must adopt existing county land use ordinances, the City of Santa Barbara's annexation proposal required discretionary rezoning of the annexation area.

The Negative Declaration Should Provide an Inventory of the Goleta Valley

Several comments were received requesting that the ND provide an inventory and analysis of the environmental changes within the Goleta Valley since the Goleta Community Plan was adopted. The comments indicate a desire to know what road or flooding improvements have been accomplished, environmental degradation that has occurred or land use mitigations that have not been complied with since approval of the Goleta Community Plan. The project for which the ND has been prepared is a change in governmental organization and does not propose any change in current land use designations or the existing environment. Therefore, an inventory of existing "problems" in the Goleta Valley is not required under CEQA. Additionally, CEQA requires the lead agency to look at the baseline and evaluate any potential changes to the environment that would result from changes to the existing environment. Although providing an inventory of issues that have arisen since approval of the Goleta Community Plan and that may confront a new city may be helpful in determining whether to approve or vote for a new city, that is not the function of the environmental document for this project.

Mitigation measures currently in effect would continue to be enforced by those agencies directed to implement them. Existing ordinances and plans would remain in effect. Implementation of the Goleta Growth Management Ordinance (GGMO) would likely involve a pro rata allocation of planned residential and commercial/industrial development capacity and annual GGMO limitations between the City of Goleta and the remaining unincorporated area.

Forecasting Future Governmental Regulation

Comments were received suggesting that incorporation would hinder current regional agency programs, cause changes in regulatory programs and result in environmental risks or hazards to the community. These types of comments make assumptions that are speculative and unfounded. As stated above, preparation of the ND involves some degree of forecasting, CEQA Section 15144. However, this CEQA section limits the requirement for forecasting to that which could be reasonably expected under the circumstances and is part of the effort to provide a general "rule of reason" for [negative declaration] contents." The CEQA discussion for this section states, "An agency cannot be expected to predict the future course of governmental regulation." In addition, CEQA Guideline 15384 requires substantial evidence in support of a fair argument that a project may have a



significant environmental impact. This Guideline provides that “argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly erroneous or inaccurate, or evidence of social or economic impacts which do not contribute to or are not caused by physical impacts on the environment does not constitute substantial evidence.”

These principles apply to the claims that incorporation would affect current regional programs. No evidence has been presented that regional programs and the implementation of regional plans would be hindered by the incorporation of a new city. Incorporation in itself would not change the authority or functions of regional organizations such as SBCAG, Project Clean Water or B.E.A.C.O.N., which have established plans and programs. The incorporation of Goleta may bring a new player to these organizations; however, it would be speculative for the ND to “forecast” what if any, changes in regional plans and programs would result from incorporation.

The assumption that inclusion of Venoco within the city boundaries would result in safety risks due to the decline in the quality of the enforcement of governmental regulations is also speculative and unfounded. The newly incorporated city will adopt the current coastal land use plan and implementing zoning ordinances under which Venoco currently operates. Although the administration of these rules would be by the new city the municipal budget provides for an adequate planning and development agency to undertake regulation of this energy facility. Alternatively, the new city could contract for services from Santa Barbara County. In either case, enforcement of the permit conditions imposed upon Venoco would be continued. It is speculative to forecast that incorporation would undermine regulatory enforcement or cause delay or loss of amortization ordinance efforts. Similarly, comments that mere incorporation will cause air pollution for increased parking enforcement efforts or loss of mobilehome rent control regulations is speculative, and not supported by substantial evidence.

Violation of SB LAFCO Guidelines

A comment was received that LAFCO would be in violation of its own guidelines, policies and standards by moving forward to approve the negative declaration. However, no explanation or evidence of the alleged violation was provided. An unsubstantiated opinion of statement does not constitute substantial evidence in support of a fair argument that a project may have a significant environmental impact under CEQA guideline 15384. The Commission has adhered to statutorily required procedures and its own adopted guidelines in preparing and circulating the Initial Study/Draft Negative Declaration. Moreover, the environmental review of the proposed incorporation is consistent with the Commission’s adopted “Policy Guidelines and Standards” which are contained in the Commissioner Handbook, specifically policies encouraging orderly formation and development of agencies, policies encouraging consistency with spheres of influence, polices encouraging conservation of prime agricultural lands and open space areas and standards for city incorporation.

Comprehensive Fiscal Analysis



Comments received speculate that if the City is not fiscally feasible or financially robust the effect will be a city that has a great incentive to seek or even promote additional development in order to generate additional revenues such as sales and hotel taxes.

Government Code Section 56375.1 prohibits LAFCO from approving an incorporation of a new city unless it finds that the proposed city is expected to receive revenues sufficient to provide public services and facilities and a reasonable reserve during the three years following incorporation. The Comprehensive Fiscal Analysis (CFA) prepared for the City of Goleta is for a ten-year period and shows that the City will be financially feasible for the entire time. The CFA is conservative. It is based on a municipal budget that uses Santa Barbara costs and salaries, includes a large planning department and provides for city attorney costs, assumes the same levels of service and no new revenue sources. The fiscal feasibility of the new city during the ten-year study period is greater with the inclusion of Isla Vista/UCSB area, but the city is fiscally viable whether or not it includes these areas and with no change in anticipated land uses.

The likelihood of a city promoting or encouraging growth and development beyond that which is currently planned is speculative and may be more a function of which candidates are elected to the city council than any other factor. The level of competition for retail commercial development that occurs between many jurisdictions appears to be unrelated to whether the agencies are well funded in comparison to other agencies in similar situations. The important consideration for the negative declaration is that LAFCO is unable to approve incorporation unless it finds that the proposed city is fiscally feasible, as specified in the Cortese-Knox Act.

