

-----Original Message-----

From: Daniel McCarter <danrmccarter@gmail.com>
Sent: Monday, September 19, 2022 7:50 AM
To: City Clerk Group <cityclerkgroup@cityofgoleta.org>
Subject: Multi-Use Path

Dear Mayor and members of the City Council,

Santa Barbara Urban Creeks Council (UCC) has worked for over 30 years in Goleta, and across the south coast, for protection of creeks and important watershed resources. We are a 501(c)(3) whose mission includes protection of riparian habitat, a part of the landscape that must be carefully managed to meet watershed goals of health, biological productivity and functionality that people of Goleta expect. We are urging that great care be taken to protect native trees in the design and construction of the multi-use path.

Please make sure that the most qualified experts, including a certified arborist, will be employed in planning, design, and implementation of the project.

To avoid fragmentation and depleted habitat value for wildlife, encroachment into Environmentally Sensitive Habitat (where unavoidable) must adhere to the most rigorous professional standards and must be planned by the most qualified experts. Please do not put Goleta's remaining natural riparian space at risk. Use the most qualified person to evaluate impacts, and instruct him or her to make every effort to protect San Jose Creek's green-belt from degradation.

Ken Knight has also submitted comments that urge caution in routing the multi-use path. UCC agrees with him that there may be omissions and serious problems with the draft plan. He is certified as an arborist, and is an expert with experience in tree protection. Mr. Knight has submitted substantial evidence that a fair argument can be made that the project may result in significant impacts.

Included below is Policy CE 9, from the Conservation Element of the City's General Plan:

Policy CE 9: Protection of Native Woodlands [GP/CP]

Objective: To maintain and protect existing native trees and woodlands as a valuable resource needed to support wildlife and provide visual amenities.

CE 9.1 Definition of Protected Trees. [GP/CP] New development shall be sited and designed to preserve the following species of native trees: oaks (*Quercus* spp.), walnut (*Juglans californica*), sycamore (*Platanus racemosa*), cottonwood (*Populus* spp.), willows (*Salix* spp.), or other native trees that are not otherwise protected in ESHAs, unless as otherwise allowed in CE 9. (Amended by Reso. 09-59, 11/17/09)

CE 9.2 Tree Protection Plan. [GP/CP] Applications for new development on sites containing protected native trees shall include a report by a certified arborist or other qualified expert. The report shall include an inventory of native trees and a Tree Protection Plan.

CE 9.3 Native Oak Woodlands or Savannas. [GP/CP] Native oak woodlands and savannas are designated as ESHAs and shall be preserved and protected. A minimum buffer area shall be established via the

implementation of CE-IA-4, Preparation of a Tree Protection Ordinance. (Amended by Reso. 09-59, 11/17/09)

CE 9.4 Tree Protection Standards. [GP/CP] The following impacts to native trees and woodlands should be avoided in the design of projects: 1) removal of native trees; 2) fragmentation of habitat; 3) removal of understory; 4) disruption of the canopy, and 5) alteration of drainage patterns. Structures, including roads and driveways, should be sited to prevent any encroachment into the protection zone of any protected tree and to provide an adequate buffer outside of the protection zone of individual native trees in order to allow for future growth. Tree protection standards shall be detailed in the Tree Protection Ordinance called for in CE-IA-4. (Amended by Reso. 09-59, 11/17/09)

CE 9.5 Mitigation of Impacts to Native Trees. [GP/CP] Where the removal of mature native trees cannot be avoided through the implementation of project alternatives or where development encroaches into the protected zone and could threaten the continued viability of the tree(s), mitigation measures shall include, at a minimum, the planting of replacement trees on site, if suitable area exists on the subject site, or offsite if suitable onsite area is unavailable, consistent with the Tree Protection Ordinance (see also CE-IA-4). The Tree Protection Ordinance shall establish the mitigation ratios for replacement trees for every tree removed. Where onsite mitigation is not feasible, offsite mitigation shall be provided by planting of replacement trees at a site within the same watershed. If the tree removal occurs at a site within the Coastal Zone, any offsite mitigation area shall also be located within the Coastal Zone. Minimum sizes for various species of replacement trees shall be established in the Tree Protection Ordinance. Mitigation sites shall be monitored for a period of 5 years. The City may require replanting of trees that do not survive.
(Amended by Reso. 09-59, 11/17/09)

Thank you for considering our concerns. In the interest of protecting Goleta's remaining and highly valued riparian resources, please make sure that planning is overseen by the most qualified experts.

Thank you,

Dan McCarter
President
Santa Barbara Urban reeks Council

From: Barry Remis <bremis@snet.net>

Sent: Monday, September 19, 2022 3:23 PM

To: City Clerk Group <cityclerkgroup@cityofgoleta.org>

Cc: heather@sbbike.org; 'Melissa Cunningham' <melissa@coast-santabarbara.org>

Subject: SBBIKE+COAST Public Comment Letter for San Jose Creek Bike Path Project Public Hearing 9/20

Good afternoon!

Attached please find SBBIKE+COAST's public comment letter of support for the San Jose Creek Path Project public hearing (agenda item C.2) at tomorrow's Goleta City Council meeting. We appreciate you distributing our letter to the Mayor, City Council members and City staff.

Thank you!

Barry P. Remis
Programs Administrator





September 19, 2022

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Board of Directors

David Dennis
Greg Janée
Dawn Mitcham
Blake Stok
Jack Bailey
Adolfo Lopez

Dear Mayor Perotte & Council Members,

SBBIKE+COAST supports the San Jose Creek Multi-Use Path Project's final Initial Study-Mitigated Negative Declaration (IS-MND) environmental document and urges the City Council's approval and authorization of the IS-MND and Development Plan. We are excited to see these two important path segments create a seamless connection between the existing San Jose Creek Trail north of Calle Real and the Atascadero Creek Bikeway/Obern Trail.

We appreciate the 1:1 (and 3:1 for riparian) tree replacement that has been added to the report.

We would like to ensure the following is addressed as the design moves forward:

1. **Calle Real Connection.** The plan shows no connection between the planned path and the existing path across Calle Real to the north. It is vital that a safe and direct connection be included as part of the next phases of design and is constructed as part of the project.
2. **Jonny D. Wallis Park Connection.** The new path must be designed and constructed with clear connections and signage to the existing path through Jonny D. Wallis Park. The trail should not be routed through a parking lot.
3. **S Kellogg Ave Facilities.** Kellogg Ave must have, at the least, Class II bike lanes, with buffered bike lanes or, preferred, Class IV separated bike lanes. This is a vital connection that must continue at the same level of safety as the path.
4. **S Kellogg and Hollister Ave Crossing.** This crossing location must be designed and constructed as part of the project and meet the level of safety of the path. A protected intersection is recommended.
5. **San Jose Creek overcrossing and S Kellogg Transition.** The new path must seamlessly connect to facilities along S. Kellogg whether users are pedestrians or bicyclists.

Through this long-awaited and valuable project, an important component of the City's Bicycle and Pedestrian Master Plan, we have the opportunity to create safer regional access where the community can walk, run, bike and roll with family and friends, getting to school or work without automobile dependence. We look forward to seeing this project move forward.

Sincerely,

Heather Deutsch
Executive Director

From: Nancy Mulholland <nmulholland.sbbc@gmail.com>
Sent: Monday, September 19, 2022 8:12 PM
To: City Clerk Group
Subject: Re: Mitigated Negative Declaration and Development Plan for the San Jose Creek Multiuse Path Project.

Dear Members of the Goleta City Council,

I am writing to ask that you support this project, approve the final MND, and move the project forward to final design where the impacts identified in this declaration can be addressed.

This Project will provide an essential multiuse path for a safer and more efficient route from north of the 101 to Old Town. The second proposed multiuse path from S. Kellogg Ave. to the Obern Trail will give residents and visitors the option of accessing Goleta Beach, UCSB, as well as connections north and south along the Coastal Route without the use of a motor vehicle. This opportunity will be available for pedestrians, users of wheelchairs and other mobility aids, as well as for riders of bicycles. The health benefits to the community as a whole in lowered VMT, traffic congestion, and greenhouse gas emissions could be substantial.

For these reasons, I support this project and hope you will as well.

Lastly, I ask that you recognize the essential need for connections between existing routes. To make this a complete and uninterrupted route, please direct your staff to simultaneously work to fund and construct needed Complete Streets facilities along the section of S. Kellogg Ave which are not included in this project. I am concerned that without the missing third piece, we will have two important but disconnected paths.

Thank you for your consideration of my comments.

Nancy Mulholland

From: cecilia brown <brownsknight1@cox.net>
Sent: Tuesday, September 20, 2022 9:06 AM
To: Paula Perotte; James Kyriaco; Roger Aceves; Kyle Richards; Stuart Kasdin
Cc: City Clerk Group; Teresa Lopes; Laura Bridley
Subject: Comments on San Jose Creek Bikepath project

Dear Madame Mayor and Councilmembers,

I am writing in support of this project. Please approve the MND in order to get this project underway.

In your project considerations tonight, I am requesting that you require a public process in the vetting of the proposed Tree Protection Plan as proscribed in the MND.

Perhaps you can better understand my request is when you know not only the number of trees to be impacted in the northern section of the project but also their size: The below info is taken from Table 5 of the MND. What this table doesn't provide is information on the tree's height nor their age, both of which are significant. Do a site visit to the north side of Calle Real where the bike path begins and see for yourself. Replacing these trees even at a 3:1 ratio will not restore the grandeur or importance of this forest of trees as it exists now. Better to eliminate/reduce impacts if possible and hope that the Tree Protection Plan will achieve that objective.

Name of trees to be removed, number to be removed, and Diameter of the trunk at Breast Height (DBH) Ranges (inches)
Eucalyptus 9, 16-55
Oak 6, 8-24
Cottonwood 10, 8-36
Sycamore 9, 4-42
Other Trees 2 48, 6-46

Already envisioned in the Staff Report on big page 87 item #7 is a public process: "Prior to the preparation of project bidding documents, the Applicant/Permittee may seek Design Review Board (DRB) advisory input of the project plans and landscaping." I believe this action for DRB Review will provide an opportunity not now existing, that would allow the public an opportunity to understand and comment on the Tree Protection Plan. Please ensure this process happens as well as the public process for the vetting of the Tree Protection Plan **before it is finalized.**

Thank you for considering my comments.
C. Brown
Member, City of Goleta Design Review Board

From: kennethknight@cox.net <kennethknight@cox.net>

Sent: Tuesday, September 20, 2022 2:26 PM

To: City Clerk Group <cityclerkgroup@cityofgoleta.org>

Subject: Item C.2 Council agenda for 9/20/22

Please include the attached comments for tonight's Council meeting.

Ken Knight

Registered Consulting Arborist #507

Board Certified Master Arborist WE6394BM

ISA Risk Assessment Qualified

ASCA Tree Appraisal Qualified

(805) 252-1952

www.goletaarborists.com

kennethknight@cox.net



Kenneth A. Knight Consulting LLC

Registered Consulting Arborist #507

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ISA Risk Assessment Qualified/ASCA Tree Appraisal Qualified

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9/20/22 Comments on Final Initial Study/Mitigated Negative Declaration
San Jose Creek Multipurpose Path Project

Honorable Mayor and Council,

I previously submitted comments to the draft Mitigated Negative Declaration project, which were addressed in the final report as letter 17 on pages #A-6 through #A-10. My comments on the responses are as follows;

Trees impacted (Page #A-8)

The final report includes a preliminary inventory of trees to be removed but does not include an inventory of trees impacted by construction. An impacted tree is a tree that will require a tree protection plan during construction. The definition of an impacted tree requiring a tree protection zone in the report has "a radius with the tree trunk at the center and equal to five times the tree trunk diameter measured 4.5 feet above grade". This standard is not supported by any documentation and is not consistent with any current standards in the field of arboriculture, which usually address critical root zones based on canopy width. But if the standard in the report were to be applied to for example a 20-inch diameter tree, five times 20 inches is 100 inches or about 8.3 feet, which considerably underestimates the critical root zone of a tree. If the standard is in feet rather than inches (more in line with current standards), a 20-inch diameter tree would have a critical root zone of 20 inches times 5 feet (60 inches) or 100 feet, which considerably overestimates the critical root zone area.

Regardless of the method used to calculate the critical root zone area, the report does not include an inventory of the number of potentially impacted trees, or the threshold for identifying what is the maximum acceptable impact before a tree is considered impacted such that it should be removed. Current thresholds used in Santa Barbara County is 20% or greater of a critical root zone area. Given the high density of trees in the area, there could be an additional 50 to 100 trees impacted that have not been identified. A tree to be removed does not need a tree protection zone.

Tree Replacement Plan (Page #A-9)

The final report clarifies that there will be a hierarchy of replacement planting sites first on site, second near site, and third anywhere in Goleta. Given the density of growth along the northern section of San Jose Creek, it is highly likely that they will be few if any locations for replacement trees along the northern section of the project. This will increase the amount of noise and visual impacts to apartment owners on the east side of San Jose Creek, particularly if the bike path is lighted.

Mitigation Replacement Ratios (Page A-9 and A-10)

The final report clarifies that trees to be removed will be replaced at a one-to-one ratio, except for riparian trees, which will be replaced at a three to one ratio. The report does not define what is considered to be a riparian tree. A Coast Live Oak for example is not considered a riparian tree, although it is native and can be found in riparian areas. Sycamores and Cottonwoods are riparian, and so are White Alder, Bay Laurel, Western Redbuds, and California Buckeyes. The inventory of trees to be removed on page 351 does not identify the species of all the trees, so it is not clear which trees will be mitigated and at what replacement ratios. This will have an impact on project budgets for replacement and monitoring programs.

A more significant issue that was not addressed in the final report is the loss of tree biomass and tree canopy with this ratio. Replacing a mature 30-inch diameter tree with three young trees is akin to replacing the Granada Building with a 7-11, it is not proportional. The mitigation replacement ratios need to be revised by the City of Goleta to consider proportional replacement of trees that are removed.

Professional Expertise and Standards (Page A-10)

The final report does include requirements for a Board Certified Master Arborist or Registered consulting Arborist to conduct reviews during construction as I had recommended. However the expertise of a qualified arborist will be constrained if they are not also included during the remainder of the design process.

Sincerely

Ken Knight

From: Bob Wignot <rewignot@cox.net>

Sent: Tuesday, September 20, 2022 1:57 PM

To: Deborah Lopez <dlopez@cityofgoleta.org>

Cc: Paula Perotte <pperotte@cityofgoleta.org>; Roger Aceves <raceves@cityofgoleta.org>; Stuart Kasdin <skasdin@cityofgoleta.org>; Kyle Richards <krichards@cityofgoleta.org>; James Kyriaco <jkyriaco@cityofgoleta.org>

Subject: Elks Comment Letter to Council for 9/20/2022 Meeting

Ms. Deborah Lopez, City Clerk

City of Goleta

130 Cremona Drive, Suite B

Goleta, CA 93117

Dear Ms. Lopez,

Please find attached a comment letter for the City Council Meeting of September 20, 2022, Agenda Item C.2 Public Hearing to Approve the Mitigated Negative Declaration and Development Plan for the San Jose Creek Multipurpose Path Project.

Sincerely,

Bob Wignot

for

Santa Barbara Elks Lodge #613

150 North Kellogg Avenue

Santa Barbara, CA 93111

Jerry Plowman, PER
Exalted Ruler



Chail Norton
Secretary

Kim Bish
Leading Knight

Alvinn Wallace
Chairman of the Board

Santa Barbara Elks Lodge #613
150 N. Kellogg Ave
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805-964-6858
Fax: 805-964-3539

September 18, 2022

Mayor Paula Perotte and Council Members
City of Goleta
130 Cremona Drive, Suite B
Goleta, CA 93117

**Re: September 20, 2022, City Council Meeting, Agenda Item C.2
Public Hearing to Approve the Mitigated Negative Declaration and
Development Plan for the San Jose Creek Multipurpose Path Project**

Dear Mayor Perotte and Council Members,

This is to provide comments on the subject project in addition to those submitted by Santa Barbara Elks Lodge #613 (the Elks Lodge) in our letter dated July 29, 2022, to the City Planning and Environmental Review Staff. A copy of this letter is included in Appendix A on page 324 of the Final Initial Study/Mitigated Negative Declaration document.

In reading the staff report for this agenda item, it is apparent that approval by the City Council of the Mitigated Negative Declaration (MND) and Development Plan for the San Jose Creek Multipurpose Path Project at this juncture is *critical* to insure that a significant amount of grant funding for the project is not lost.

Also, there is a tight time schedule for staff to "submit the approved MND as part of the funding allocation request package to Caltrans and the California Transportation Commission (CTC) by October 10, 2022."

September 20, 2022

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Furthermore, there is another time crunch in that “final bid documents and right of way certification for the Project must be submitted to Caltrans and the CTC as part of the package to request allocation of the ATP Construction phase funding by January 2023.”

Given the time frames and the grant funding that is at stake, the Elks Lodge supports the City Council's approval of the MND and Development Plan for the subject project.

The Elks Lodge also looks forward to working with City staff to address the concerns raised in our July 29th comment letter.

In particular, if the City decides to include the optional section of the northern segment in the final design (which would include the path crossing under the Calle Real Bridge and coming westerly up to grade on the north side of Calle Real along the southern property line of the Elks Lodge), then the project scope of work has to be expanded to include stabilization of the west embankment of San Jose Creek, north of the Calle Real Bridge, where it is being subjected to ongoing erosion. Reference our July 29th comment #13.

If this action is not taken, embankment erosion will continue and eventually undermine the Calle Real Bridge west abutment and the multipurpose path, should it be constructed thereunder.

Thank you for your consideration of these comments. Should you have any questions or require further information, please contact Elks Lodge representative Bob Wignot by phone (805) 451-0664 or by email rewignot@cox.net.

Sincerely,

A handwritten signature in dark ink, appearing to read "P.P. Plowman", with a long, sweeping horizontal line extending to the right.

Jerry Plowman
Exalted Ruler

From: Kim Stanley <kimsz345@gmail.com>
Sent: Friday, September 23, 2022 9:30 AM
To: City Clerk Group
Subject: Please support the San Jose Creek path

Dear City Council Members,

The San Jose Creek path has been in the works for many years. It has involved thousands of hours of effort; plans are made, funds available. The impact of this project could raise the quality of life for both commuters and recreational cyclists by connecting people to both commercial and natural areas. Additionally, this is something the City of Goleta could actually do to mitigate climate change. More people on bicycles is a community benefit in so many ways.

Please make this important project become a reality.

Sincerely,

Kim Stanley
Local Bicyclist