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May 5, 2025

To: Single Family Design Board and Staff Hearing Officer

Re: 3139 Sea Cliff - PLN2024-00398 – Board Purview.

Dear Single Family Design Board:

Allied Neighborhood Association requests that this project be required by the City to have an EIR and we also request that this project be required by the City to obtain a Coastal Development Permit.

1) An EIR is required by CEQA state law because this project clearly will cause significant adverse environmental impacts during the construction phase.

It is fact that the soil to be dug up and removed was tested by a lab and found to contain a level of Dieldrin, a cancer-causing pesticide (according the EPA) that is much higher than the maximum allowed by US Environmental Agency law.

It is a fact that dust control and storm-water control mitigation measures during grading, while reducing the amount of toxic dust to get in the air and into storm-water draining directly into the Ocean by the adjacent drainage creek, cannot eliminate 100% of the cancer causing Dieldrin from polluting the environment which in turn has the potential to give people significant health effects, including cancer.

To date it appears that no SB County agency has calculated the quantity of Dieldrin that can, or will, get into the wind-blown air or storm-water environment from the project, and no S.B. County

agency has calculated the level of Dieldrin that City residents can safely breath without getting significant health effects, or cancer.

Therefore, based on all of the above, any opinion, or determination, by any S.B. County agency that this project does not have a significant adverse environmental impact appears to be faulty, and in dispute, and therefore should not be used as a basis by City staff to find, or make a determination, that this project can not cause any significant adverse environmental impact.

The EIR can perform calculations to determine the quantity of Dieldrin that may get into the air and storm water and determine the level that residents can safely breath, and can research and recommend mitigation measures and environmentally superior alternative methods of toxic soil remediation, (the applicants own soil study lists several alternatives).

2) This project is required by law to require a Coastal Development Permit and may not be given a coastal exclusion.

Following is the exact wording of the Santa Barbara Municipal code Section:

§ 28.44.060**Permit Required.**

In addition to any other permits or approvals required by the City, a coastal development permit shall be required prior to commencement of any development in the coastal zone of the City, unless the development involves emergency work subject to the provisions of Section **28.44.100** or the development is subject to one of the exclusions or exemptions specified in Section **28.44.070**.(Ord. 5417, 2007)

§ 28.44.070Exclusions and Exemptions.

The following categories of development, through subsection C, are categorically excluded from the coastal development permit requirements of this chapter pursuant to Categorical Exclusion Order E-86-03 as amended by Categorical Exclusion Order E-06-1 and certified by the California Coastal Commission:

A. Time-share conversion exclusion.

B. Vested rights exclusion.

C. Single-family residence exclusions.

"The following categories of development, through the end of this section, are exempt from the coastal development permit requirements of this chapter pursuant to Section 30610 of the Public Resource Code and Sections 13250—13253 of Title 14 of the California Administrative Code:

D. Single-family residence exemption. Improvements to existing single-family residences; provided, however, that those improvements which involve a risk of adverse environmental effect shall require a coastal development permit, as provided in Section 13250 of Title 14 of the California Administrative Code, as amended from time to time. "

Since this project, even if is deemed categorically exempt from requiring an EIR, clearly involves a risk of adverse environmental effect, as outlined in this letter, it cannot legally be given a Coastal exemption.

Thank you for your attention to this issue.

Sincerely,

Allied Neighborhoods Association

Cc: Secretary, Staff Hearing Officer, Community Development Department, Elias Isaacson, Barbara Burkhart, Tava Ostrenger