



County of Santa Barbara BOARD OF SUPERVISORS

Minute Order

January 28, 2020

Present: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

PLANNING AND DEVELOPMENT

File Reference No. 20-00074

RE: HEARING - Consider recommendations regarding Juarez, Adam and Farley, LLP on behalf of George and Cheryl Bedford; Adams, Broadwell, Joseph and Cardozo, LLP on behalf of Citizens for Responsible Wind Energy; and California Native Plant Society Appeals of the Strauss Wind Energy Project Conditional Use Permit and Variance, Case Nos. 19APL-00000-00033, 19APL-00000-00034, 19APL-00000-00035, 16CUP-00000-00031, and 18VAR-00000-00002; Third and Fourth Districts, as follows: (EST. TIME: 3 HR.)

a) Deny the appeals, Case Nos. 19APL-00000-00033, 19APL-00000-00034 and 19APL-00000-00035;

b) Make the required findings for approval of the project as specified including CEQA findings;

c) Certify the Final Supplemental Environmental Impact Report (Final SEIR) 18EIR-00000-00001; SCH No. 2018071002 included as Attachment 3 of the January 14, 2020 Set Hearing Board Letter for these appeals, and the Final SEIR Revision Letter No. 1 dated November 12, 2019 (Attachment 4 of the January 14, 2020 Set Hearing Board Letter for these appeals), after considering the Final EIR for the Lompoc Wind Energy Project (06EIR-00000-00004; SCH No. 2006071008), and adopt the mitigation monitoring program contained in the conditions of approval (Attachment B, Condition 93 of the Planning Commission Action Letter dated November 22, 2019 included as Attachment 1 of the January 14, 2020 Set Hearing Board Letter for these appeals); and

d) Grant de novo approval of the Strauss Wind Energy Project (16CUP-00000-00031 and 18VAR-00000-00002), consisting of the Modified Project Layout and Alternative Surface Transportation Route, that combines two alternatives set forth in the Final SEIR and Final SEIR Revision Letter No. 1 dated November 12, 2019, subject to the conditions of approval included in Attachment B of the November 22, 2019 Planning Commission Action Letter included as Attachment 1 of the January 14, 2020 Set Hearing Board Letter for these appeals.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 12:36 PM - 4:57 PM (4 HR. 21 MIN.)



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A motion was made by Supervisor Hartmann, seconded by Supervisor Williams, that this matter be acted on as follows:

Denied appellant's request for continuance.

The motion carried by the following vote:

Ayes: 4 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, and Supervisor Lavagnino

Recused: 1 - Supervisor Adam



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- RE:** HEARING - Consider recommendations regarding Juarez, Adam and Farley, LLP on behalf of George and Cheryl Bedford; Adams, Broadwell, Joseph and Cardozo, LLP on behalf of Citizens for Responsible Wind Energy; and California Native Plant Society Appeals of the Strauss Wind Energy Project Conditional Use Permit and Variance, Case Nos. 19APL-00000-00033, 19APL-00000-00034, 19APL-00000-00035, 16CUP-00000-00031, and 18VAR-00000-00002; Third and Fourth Districts, as follows: (EST. TIME: 3 HR.)
- a) Deny the appeals, Case Nos. 19APL-00000-00033, 19APL-00000-00034 and 19APL-00000-00035;
 - b) Make the required findings for approval of the project as specified including CEQA findings;
 - c) Certify the Final Supplemental Environmental Impact Report (Final SEIR) 18EIR-00000-00001; SCH No. 2018071002 included as Attachment 3 of the January 14, 2020 Set Hearing Board Letter for these appeals, and the Final SEIR Revision Letter No. 1 dated November 12, 2019 (Attachment 4 of the January 14, 2020 Set Hearing Board Letter for these appeals), after considering the Final EIR for the Lompoc Wind Energy Project (06EIR-00000-00004; SCH No. 2006071008), and adopt the mitigation monitoring program contained in the conditions of approval (Attachment B, Condition 93 of the Planning Commission Action Letter dated November 22, 2019 included as Attachment 1 of the January 14, 2020 Set Hearing Board Letter for these appeals); and
 - d) Grant de novo approval of the Strauss Wind Energy Project (16CUP-00000-00031 and 18VAR-00000-00002), consisting of the Modified Project Layout and Alternative Surface Transportation Route, that combines two alternatives set forth in the Final SEIR and Final SEIR Revision Letter No. 1 dated November 12, 2019, subject to the conditions of approval included in Attachment B of the November 22, 2019 Planning Commission Action Letter included as Attachment 1 of the January 14, 2020 Set Hearing Board Letter for these appeals.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY



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A motion was made by Supervisor Lavagnino, seconded by Supervisor Hartmann, that this matter be acted on as follows:

Accepted into the record the following letters:

Letter dated January 24, 2020 from Jonathon Ullman of the Sierra Club;

Letter dated January 24, 2020 from David Chipping, Conservation Chair of the San Luis Obispo Chapter of California Native Plant Society;

Letter dated January 27, 2020 from Karen Osland;

Letter dated January 27, 2020 from the Department of Fish and Wildlife; and

PowerPoint Presentation dated January 27, 2020 from the applicant, Daniel Duke.

The motion carried by the following vote:

Ayes: 4 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, and Supervisor Lavagnino

Recused: 1 - Supervisor Adam



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January 28, 2020

Present: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

PLANNING AND DEVELOPMENT

File Reference No. 20-00074

RE: HEARING - Consider recommendations regarding Juarez, Adam and Farley, LLP on behalf of George and Cheryl Bedford; Adams, Broadwell, Joseph and Cardozo, LLP on behalf of Citizens for Responsible Wind Energy; and California Native Plant Society Appeals of the Strauss Wind Energy Project Conditional Use Permit and Variance, Case Nos. 19APL-00000-00033, 19APL-00000-00034, 19APL-00000-00035, 16CUP-00000-00031, and 18VAR-00000-00002; Third and Fourth Districts, as follows: (EST. TIME: 3 HR.)

a) Deny the appeals, Case Nos. 19APL-00000-00033, 19APL-00000-00034 and 19APL-00000-00035;

b) Make the required findings for approval of the project as specified including CEQA findings;

c) Certify the Final Supplemental Environmental Impact Report (Final SEIR) 18EIR-00000-00001; SCH No. 2018071002 included as Attachment 3 of the January 14, 2020 Set Hearing Board Letter for these appeals, and the Final SEIR Revision Letter No. 1 dated November 12, 2019 (Attachment 4 of the January 14, 2020 Set Hearing Board Letter for these appeals), after considering the Final EIR for the Lompoc Wind Energy Project (06EIR-00000-00004; SCH No. 2006071008), and adopt the mitigation monitoring program contained in the conditions of approval (Attachment B, Condition 93 of the Planning Commission Action Letter dated November 22, 2019 included as Attachment 1 of the January 14, 2020 Set Hearing Board Letter for these appeals); and

d) Grant de novo approval of the Strauss Wind Energy Project (16CUP-00000-00031 and 18VAR-00000-00002), consisting of the Modified Project Layout and Alternative Surface Transportation Route, that combines two alternatives set forth in the Final SEIR and Final SEIR Revision Letter No. 1 dated November 12, 2019, subject to the conditions of approval included in Attachment B of the November 22, 2019 Planning Commission Action Letter included as Attachment 1 of the January 14, 2020 Set Hearing Board Letter for these appeals.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY



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Received and filed staff presentation and conducted public hearing.

A motion was made by Supervisor Hartmann, seconded by Supervisor Williams, that this matter be acted on as follows:

- a) Denied the appeals, Case Nos. 19APL-00000-0033, 19APL-00000-00034, and 19APL-00000-00035;
- b) Adopted required findings including CEQA findings;
- c) Approved; and
- d) Granted de novo approval of the Strauss Wind Energy Project, Case Nos. 16CUP-00000-00031 and 18VAR-00000-00002, amending Condition No. 16 and including an additional condition, Condition No. 103, of the Conditions of Approval, as follows:

Added language to Condition No. 16 at the end of the monitoring paragraph:

The Director shall submit a report on the implementation of the Gaviota Tarplant Mitigation Plan to the Planning Commission at a public hearing annually for a five year period. The reporting shall commence one year after the wind turbines become operational or as soon thereafter as practical.

Included an additional condition, Condition No. 103:

During the micro-siting process for the wind turbines, the final location of WTG N-5 and N-7 shall not be any closer to the current location of the primary single family home located at 4026 San Miguelito Road than as depicted on the site plan approved by the Board of Supervisors on January 28, 2020.

The motion carried by the following vote:

- Ayes:** 4 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, and Supervisor Lavagnino
- Recused:** 1 - Supervisor Adam