



BOARD OF SUPERVISORS  
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

**Department Name:** Planning and  
Development  
**Department No.:** 053  
**For Agenda Of:** July 29, 2014  
**Placement:** Departmental  
**Estimated Tme:** 1 hour  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

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**TO:** Board of Supervisors  
**FROM:** Department: Planning and Development  
Director: Glenn Russell, Ph.D., Director, 568-2085  
Contact Info: Dianne Black, 568-2086

**SUBJECT: Measure P Implementing Ordinances and General Plan Amendments**

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**County Counsel Concurrence**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: NA

**Recommended Actions:**

That the Board of Supervisors:

1. Direct staff to begin processing implementing ordinances and general plan amendments necessary to codify the process for considering and applying the exemptions stated in section 5 of Measure P, to become operative only if Measure P becomes effective, and to include full noticing, Planning Commission hearings and return to the Board for final action.
2. Find that the proposed action is exempt from the California Environmental Quality Act (CEQA) under State CEQA Guidelines Section 15061(b)(3).

**Summary Text:**

On June 13, 2014, your Board voted to submit the initiative to Ban “High-Intensity Petroleum Operations”, now Measure P2014, to the voters in the November 2014 General Election. The attached Impartial Analysis by County Counsel (Attachment A) notes that the Measure provides for exemptions from the prohibitions of development, construction, installation, or use of any facility or aboveground equipment in support of high intensity petroleum operations which are broadly defined to include hydraulic fracturing, acid well stimulation, and injecting any substances into a well, including water, steam or air.

Measure P does not provide processes for the County to consider and apply the three broad categories of exemptions stated in the Measure. The Measure authorizes the Board of Supervisors to adopt

implementing ordinances to further the purposes of the initiative. Planning and Development staff previously reported to the Board about the current broad use of methods in the County that would be prohibited if the measure is adopted, without applying the exemptions stated in the Measure. If approved by the voters, Measure P would be effective within weeks of the vote. Staff believes that it is prudent to ensure that processes to consider and apply the exemptions are codified, which would be operative if and only if and immediately upon Measure P becoming effective, to provide certainty for the community and to reduce litigation risks for the County.

County staff is not taking a position on whether or not the voters should approve Measure P. Rather, staff is recommending a course of action, adoption of ordinances and plan amendments to codify procedures for determining exemptions, which would become effective if and only if the Measure is approved by the voters. If the Board directs staff to process these ordinances and General Plan amendments, staff plans to return to your Board on October 7, 2014 for adoption of the ordinances and plan amendments. Staff will bring the ordinances and General Plan amendments to the Montecito and County Planning Commissions in the next two months for the Commissions to make recommendations for your Board's consideration.

**Fiscal and Facilities Impacts:**

The ordinances and plan amendments would be processed by Planning and Development staff under Budget Program Administration and Support, on page 212 of the Adopted 2014-15 Budget. No fiscal or facility impacts would result from adoption of the ordinances and plan amendments.

**Attachments:**

- A. Measure P2014 Impartial Analysis by County Counsel
- B. Measure P2014 Full Text