



**BOARD OF SUPERVISORS  
AGENDA LETTER**

Agenda Number:

**Clerk of the Board of Supervisors**  
105 East Anapamu Street, Room 407  
Santa Barbara, CA 93101  
(805) 568-2240

**Department Name:** Planning & Development  
**Department No.:** 053  
**For Agenda Of:** 12/13/2011  
**Placement:** Administrative  
**Estimated Tme:**  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

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**TO:** Board of Supervisors  
**FROM:** Department Director Glenn Russell, Ph.D. (805) 568-2085  
Contact Info: Doug Anthony, Deputy Director (805) 568-2046 or 934-6559  
**SUBJECT:** Submittal to the California Coastal Commission for Certification of the Article II Coastal Zoning Ordinance Amendment to Address Hydraulic Fracturing

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**County Counsel Concurrence**  
As to form: Yes

**Auditor-Controller Concurrence**  
As to form: N/A

**Other Concurrences:** N/A

**Recommended Actions:**

That the Board of Supervisors :

- A. Adopt the attached resolution for Case No. 11ORD-00000-00023, an ordinance amending Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code to clarify the permit requirements for anyone proposing to conduct hydraulic fracturing on any new or existing well.
- B. Direct staff to submit the Local Coastal Program amendment to the California Coastal Commission for certification.

**Summary Text:**

Case No. 11ORD-00000-00023 was approved by the Board of Supervisors on December 6, 2011. This ordinance amends the Article II Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code to clarify the permit requirements for anyone proposing to conduct hydraulic fracturing on any new or existing well. This ordinance is required to be submitted to the California Coastal Commission for certification, because it constitutes an amendment to Santa Barbara County's certified Local Coastal Program.

The attached resolution is required in order to submit this amendment for certification. The resolution requests: (1) that the amendment be processed as a minor amendment in compliance with Title 14 of the California Code of Regulations Section 13554, and (2) that the amendment will take effect automatically upon approval by the California Coastal Commission without further action by the Board of Supervisors in compliance with Title 14 of the California Code of Regulations Section

13551(b)(1). In this instance, the amendment would become effective on the tenth working day following the designation of the amendment as a minor amendment by the Executive Director of the Coastal Commission in compliance with Public Resources Code Section 30514(c), unless that designation is objected to by one-third of the appointed members of the Coastal Commission.

When the Board adopted the ordinance amendment on December 6, 2011, the Board determined that this project is exempt from CEQA pursuant to CEQA Guidelines section 15265 because this is a local coastal program amendment that is being submitted to the Coastal Commission which has a certified regulatory program. Additionally, even if this was not a local coastal program submittal, the ordinance amendment is exempt pursuant to CEQA pursuant to 15308. A Notice of Exemption has already been filed for this project.

**Performance Measures:**

N/A.

**Fiscal and Facilities Impacts:**

Budgeted: Yes

**Fiscal Analysis:**

Funding is provided under the Permitting and Compliance Function (Program 3000 – Administration) of Planning and Development Review – North Division, budgeted on page D-316 of the FY 2011-12 budget book.

**Special Instructions:**

The Planning and Development Department will satisfy all noticing requirements.

**Attachment:**

1. Resolution Submitting Article II Coastal Zoning Ordinance Amendment to the California Coastal Commission