

ATTACHMENT 7: FINDINGS

Case No. 15APL-00000-00023, OPTION 1

1.0 CEQA FINDINGS

The Board of Supervisors has considered the Negative Declaration, Case no. 15NGD-00000-00003 (Montecito Planning Commission Staff Report, Attachment C of Attachment 3 to the Board Letter dated February 2, 2016 and incorporated herein by reference), together with the comments received and considered during the public review process. As a result of its consideration of the documents cited above, the Board of Supervisors finds that there is substantial evidence in the record to support a fair argument that the project may have a significant effect on the environment and that a focused EIR must therefore be prepared to address issues related to the historic bridge proposed to be demolished.

The comment letter dated March 30, 2015 from the Pearl Chase Society, provided in Attachment 5 to this Board letter and incorporated herein by reference, points out that the Montecito Community Plan states that stone bridges are considered major architectural elements in the preservation of the rural character of the community and should be maintained. The 2014 Cole report's (provided in Attachment 6 and incorporated herein by reference) conclusion that the mitigation measures in the MND identified to reduce the significant impacts associated with removal of the southern bridge are adequate is based on the premise that the southern bridge is unsafe and must be removed. However, the November 18, 2015 letter from Michael Caccese, licensed Civil Engineer (Attachment 8 to this Board Letter and incorporated herein by reference) states that, while the bridge has been damaged in previous storms, is structurally deficient, and should be replaced, the bridge can currently support a 20 ton vehicle load including a fire truck and could last another 20 years before failing. Additionally, the Montecito Fire Protection District reported that it can use either the northern or the southern bridge for access. Flood Control reported that it would like removal of both bridges, but that removal of either the northern or southern bridge would improve Flood Control's concerns. Also, when the Historic Landmarks Advisory Commission (HLAC) reviewed the project, the HLAC suggested studying the retention of the southern bridge as a pedestrian bridge (HLAC minutes of April 13, 2015, provided in Attachment F of Attachment 3 to this Board Letter and incorporated herein by reference).

Further, the 2014 Cole report concludes that the northern bridge is not a significant historic resource. However, the 2015 Post-Hazeltine report (provided in Attachment 6

and incorporated herein by reference) concludes that both the northern and southern bridges, along with a portion of the stream channel, constitute a significant historic resource. Also, the Post-Hazeltine report concludes that the mitigation measures identified in the MND to reduce impacts resulting from removal of the southern bridge are adequate primarily because the northern bridge and the channel would remain, thus ensuring that enough of the contributing elements of the historic resource would remain in order to continue to convey its historical significance.

Based on the disagreements between experts, including those regarding the significance of the on-site resources and the reasons for considering the mitigation measures adequate, it is the independent judgment and analysis of the Board of Supervisors that the Negative Declaration, Case no. 15NGD-00000-00003, is not adequate for this proposal.

In summary, the Board of Supervisors has considered the Negative Declaration together with the comment letters provided in Attachment 5, and the historic resource reports provided in Attachment 6, which come to different conclusions about the property's historic resources. Based on its consideration of the documents cited above, the Board of Supervisors finds that on the basis of the whole record, including the Negative Declaration and the comments received, that the finding cannot be made that through feasible conditions placed upon the project, the significant impacts on the environment have been eliminated or substantially mitigated. The Board of Supervisors finds that on the basis of the whole record (including the initial study and any comments received), there is substantial evidence that the project may have a significant effect on the environment. Therefore, an EIR is required.