

**SANTA BARBARA COUNTY
BOARD AGENDA LETTER**



Clerk of the Board of Supervisors
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Santa Barbara, CA 93101
(805) 568-2240

Agenda Number:
Prepared on: 10/13/05
Department Name: CEO
Department No.: 012
Agenda Date: 10/25/05
Placement: Departmental
Estimate Time: 1 hour
Continued Item: Yes
If Yes, date from: 9/27/05

TO: Board of Supervisors

FROM: Michael F. Brown
County Executive Officer

STAFF CONTACTS: John McInnes – 568-3552
Director, Strategic and Long Range Planning

Dianne Meester – 568-2086
Assistant Director, Planning and Development

SUBJECT: EIR Contract Procedures Review

Recommendation(s):

That the Board of Supervisors:

Adopt a resolution amending the County’s “Guidelines for the Implementation of the California Environmental Quality Act of 1970, As Amended”.

Alignment with Board Strategic Plan:

This recommendation is primarily aligned with Goal No. 1, An efficient Government Able to Respond Effectively to the Needs of the Community.

Executive Summary and Discussion:

On January 18, 2005, your Board directed that the County Planning Commission (Commission) review the County’s EIR contract procedures and return to the Board within 90 days with a report/recommendations. Further, your Board directed that this effort be facilitated by a Project Manager to be assigned by the County Chief Executive Officer (CEO). The CEO’s Project Manager subsequently convened an Executive Committee to assist in the effort, developed a draft report and recommendations, and presented all findings to the County and Montecito Planning Commissions.

On May 10, 2005, your Board directed staff to return to the Board on June 21, 2005 for a discussion regarding EIR contract procedures and to request that the County Planning Commission tailor its recommendations to accommodate that schedule.

The County Planning Commission subsequently held two hearings on May 4, 2005 and May 23, 2005, and the Montecito Planning Commission held a hearing on May 18, 2005 to consider the staff findings and develop recommendations for your Board's consideration.

On July 19, 2005, your Board directed staff to revise the County's CEQA Guidelines, and requested the Montecito and County Planning Commissions to review the proposed revisions.

The attached draft revised Guidelines for the Implementation of the California Environmental Quality Act are intended to reflect the Board of Supervisor's direction. The document reflects the following changes:

1. For Public Projects requires that EIRs for public policy documents be overseen by an Environmental Coordinator assigned by the CEO from a department that did not prepare the policy and document that acts as the environmental hearing officer for the project.
2. For Private Projects, allows the applicant to decide if the Administrative Draft EIR will be released prior to release of the Public Draft EIR. If the Administrative Draft EIR is released, it would be released to the applicant and interested members of the public.
3. For Private Projects where the EIR is prepared by a consultant, communication expectations are clarified, as are communication expectations between staff and the applicant.
4. Other minor changes intended to update the guidelines to reflect the current departmental and county structure and correct minor typographic errors and minor process clarifications.

All changes are shown with deleted and inserted text noted.

The Montecito Planning Commission reviewed the proposed revisions to the CEQA Guidelines on September 21, 2005. The Montecito Commission unanimously recommended that your Board adopt the resolution amending the CEQA Guidelines. The Montecito Planning Commission requested that when a scoping meeting notice is prepared for an EIR, that it include a statement that release of the Administrative Draft EIR may occur and provide contact information for the public to track the case.

On October 5, 2005, the proposed revisions were presented to the County Planning Commission. The Commission also recommended that your Board adopt the resolution amending the CEQA Guidelines with some minor corrections of typographical errors. The attached CEQA Guidelines reflect these corrections.

Mandates and Service Levels:

No mandates or service levels are affected by this action.

Fiscal and Facilities Impacts:

The project is partially funded in the Permitting and Compliance Program for North and South County Development Review Divisions on pages D-294 and 296 for P&D staff costs. Funding for project management work completed by Public Works staff (\$11,403) has not been budgeted. The P&D budget will be monitored by the CEO.

Enclosure:

Resolution and Proposed CEQA Guidelines Revisions