



BOARD OF SUPERVISORS  
AGENDA LETTER

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

Agenda Number:

2007 NOV -7 AM 11: 26

Department Name: **Planning and Development**  
Department No.: 053  
For Agenda Of: November 20, 2007  
Placement: Administrative – Set Hearing for December 4, 2007  
Estimated Tme: 1 hour (15 minute presentation)  
Continued Item: No  
If Yes, date from:  
Vote Required: Majority

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**TO:** Board of Supervisors  
**FROM:** Department John Baker  
Director 568-2085  
Contact Info: Dave Ward, Deputy Director  
568-2520

**SUBJECT: Beneficial Ecological Restoration Project Requirements**

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**County Counsel Concurrence**

As to form: N/A

**Auditor-Controller Concurrence**

As to form: N/A

**Other Concurrence:**

As to form: N/A

**Recommended Actions:**

That the Board of Supervisors:

On November 20, 2007 set a hearing for December 4, 2007 to adopt by resolution the necessary amendment to the County's CEQA Guidelines and Environmental Thresholds documents to effectuate a Beneficial Ecological Restoration Project definition and habitat replacement requirements.

On December 4, 2007 take the following actions:

- A. Adopt a Resolution amending the *County of Santa Barbara Guidelines for the Implementation of the California Environmental Quality Act* for the definition and requirements for a Beneficial Ecological Restoration Project (Attachment A); and
- B. Adopt a Resolution amending the *County of Santa Barbara Environmental Thresholds and Guidelines Manual – Habitat Replacement/Compensation Guidelines* to provide corresponding reference for Beneficial Ecological Restoration Projects (Attachment B); and

- C. Find that these amendments are statutorily exempt from the California Environmental Quality Act pursuant to Sections 15378(a) of the Guidelines for Implementation of CEQA (Attachment C - CEQA Guidelines Section 15378(a) Notice of Exemption).

**Executive Summary:**

At the Board of Supervisor's hearing on October 3, 2006, your Board heard the appeal of the Arroyo Hondo Steelhead Passage Project. Your Board granted the appeal to allow, among other things, habitat restoration at a ratio of 1:1. Your Board directed staff to return to the Board with criteria for beneficial restoration projects. Staff, in conjunction with a stakeholder group, created 1) a definition for "Beneficial Ecological Restoration Project" describing the project type and restoration activities that enhance biological resources and can apply a 1:1 replacement ratio; and 2) established eleven requirements associated with these projects, some of which include an applicant's technical expertise, necessary documentation, and relationship to the applicable county policies and/or State and Federal agency requirements. Both are recommended as amendments to the County's *Guidelines for the Implementation of the California Environmental Quality Act CEQA* (Attachment A) and a corresponding reference in the County's *Environmental Thresholds and Guidelines Manual – Habitat Replacement/Compensation Guideline* (Attachment B). This report summarizes the efforts and the stakeholder involvement to implement your direction.

**Summary Text:**

The purpose and intent for establishing Beneficial Ecological Restoration Project criteria is to identify a specific type of restoration project and requirements (including habitat replacement ratio) to promote and encourage property owners, agencies and special interest groups to implement restoration projects that enhance the County's natural and biological resources. Distinct from projects initiated for development purposes, where the required permit processing findings and conditions of approval may result in restoration and mitigation requirements, Beneficial Ecological Restoration Projects by definition, are only for restoration. Some examples of these beneficial projects proposed in the definition include:

- Invasive exotic species removal,
- Barrier removal or modification,
- Creek/drainage day-lighting,
- Culvert replacement or modification,
- Native habitat (e.g. wetland) expansion, enhancement, creation or restoration,
- Revegetation with ecologically appropriate native species,
- Water quality improvements, or
- Other similar habitat restoration projects, where adverse impacts if any are short-term and temporary, where habitat restoration is the primary purpose of the project, and where there are no significant, unmitigated adverse impacts on biological resources.

In addition, these projects could result in secondary benefits such as soil conservation, water conservation, and water quality improvements.

The proposed definition and requirements associated with Beneficial Ecological Restoration Projects do not change the County's permitting requirements in the zoning ordinances. P&D Management

anticipates assigning specific case planners, along with the P&D staff biologist, to process these projects thereby enhancing permit processing time and consistency in review.

Depending on the scope and scale of the project, CEQA would be assessed as part of any necessary County permit review. However, it is anticipated certain beneficial ecological restoration projects could rely upon the following CEQA exemptions:

- 15304 – Minor Alterations to Land
- 15307 – Actions by Regulatory Agencies for Protection of Natural Resources
- 15308 – Actions by Regulatory Agencies for Protection of the Environment
- 15333 – Small Habitat Restoration Projects

Because all beneficial ecological restoration projects cannot be readily defined upfront, predetermining CEQA is not possible.

### **Stakeholder Involvement**

P&D staff worked with the Watershed Issues Project Team in developing the initial criteria for beneficial restoration projects in fall/winter 2006-7. P&D staff solicited participation from various community members, property owners, interest groups and agencies to review and advise on the draft definition and requirements. On October 5, 2007, stakeholder members (representatives from Community Environmental Council (CEC), the Santa Barbara Land Trust; Dept of Fish and Game, Coastal Conservancy, Natural Resource Conservation Service (NRCS)/Resource Conservation District (RCD) and County Agricultural Commissioner Office) discussed the initial draft and agreed to many revisions. P&D staff completed edits and circulated the revised draft for further review to those members previously commenting on the draft, as well as all other stakeholders on the email distribution list.

Of particular note were comments from the Environmental Defense Center (EDC), expressing 1) reservations with the proposed text for a Beneficial Ecological Restoration Project, or 2) recommending altered requirements that would likely extend permit processing time and costs—possibly beyond the restoration activity cost itself—detracting from the purpose and objective of the Board's direction in fall 2006. For instance, EDC recommends restoration projects should all result in “no net loss of habitat area”, as opposed to “no net loss of habitat value”. The latter is an important distinction with the stakeholder group as there could be projects where restoration activity may reduce total habitat area but result in overall increased habitat value (i.e. upland habitat is altered during restoration and creation of wetland habitat). Adopting this stringent requirement may preclude these projects, counter to the intended result: restoring and enhancing the County's natural and biological resources.

EDC suggestions were evaluated by P&D staff and shared with the stakeholder group, including explanations on how several of these text revisions result in more costly permitting, and therefore fewer property owners or interested parties likely to pursue restoration activities. Consequently, the draft definition and requirements were not altered. However, many other suggested edits from EDC added clarity or value to the intent for restoration projects and were incorporated into the draft attached to this report and provided to your Board for consideration and adoption.

### **Planning Commission Recommendation**

The County Planning Commission and the Montecito Planning Commission will consider the recommended definition and requirements for Beneficial Ecological Restoration Projects at their respective hearing dates of November 7<sup>th</sup> and 29<sup>th</sup>, 2007. P&D staff will forward to your Board in an errata memo the recommended actions of both Commissions.

### **Policy Consistency**

The proposed amendments to the County CEQA Environmental Thresholds and Guidelines documents do not alter the goals and policies of the Comprehensive Plan or Coastal Land Use Plan and applicable community and area plans. Many of these goals and policies direct that the County's natural and biological resources be preserved, enhanced and maintained:

- Conservation Element – *Conclusions, Recommendations, and Implementation Policy*
- Land Use Element – *Area and Community Goals*
- Community/Area Plans – *Biological Habitat Policies* (Goleta, Los Alamos, Montecito, Orcutt, Summerland, and Toro Canyon)
- Coastal Land Use Plan – *Resource Protection and Development Policies*

### **Environmental Review to Adopt Amendments**

The proposed amendments to the County's CEQA Guidelines and Environmental Thresholds documents are recommended to be determined to be exempt from environmental review pursuant to Section 15378(a) of the California Guidelines for Implementation of the California Environmental Quality Act (CEQA) and PRC 21065. Section 15378(a) states that where an action cannot be found to be a "project", meaning the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, that action is not subject to CEQA. Establishing the Beneficial Ecological Restoration Project definition and requirements does not result in a direct or reasonably foreseeable indirect change in the physical environment, but instead provides the criteria to identify a specific type of restoration project and requirements (including habitat replacement ratio) to promote and encourage property owners, agencies and special interest groups to implement restoration projects that enhance the County's natural and biological resources. The proposed definition and requirements do not change permitting requirements or change standards in the County's zoning ordinances. Depending on the scope and scale of any proposed beneficial project, CEQA would be assessed as part of any necessary County permit review. Each Beneficial Ecological Restoration Project would be assessed for CEQA compliance, including applicable exemptions. Therefore, these amendments to the County CEQA Guidelines and Environmental Thresholds documents (see Attachment C - Notice of Exemption) are not considered a project under CEQA and therefore, CEQA is not applicable to these amendments.

### **Background:**

During stakeholder meeting on the Beneficial Ecological Restoration Project requirements, a related program also aimed at restoration projects was discussed: the *Consolidated Permit Program*. With funding from the Regional Water Quality Control Board and the Coastal Conservancy, Sustainable Conservation is leading an effort to develop a permit coordination process for Natural Resource Conservation Service (NRCS) and Cachuma Resource Conservation District (CRCD) to assist landowners and/or interest groups to implement projects that decrease non-point source pollution and/or improve habitat for special status species. Under the program, all the various local, state and federal

agencies with jurisdictional authority, would condition and authorize in advance (via multiple programmatic permits) a small set of NRCS conservation practices. Landowners whose projects meet all of the criteria established for the program (e.g. type of practice, size limits, and protection measures) would be able to implement projects under the program guidelines without the need to seek individual project permits.

Currently, projects funded by NRCS are exempt from permits in the non-coastal areas of the County. This new effort would serve to amend applicable County regulations whereby the permits for many of the activities cited under the Beneficial Ecological Restoration Project definition would not be required because they are covered under the programmatic permits issued by each agency, or are exempt. In a parallel but separate effort, Sustainable Conservation is also working with San Luis Obispo County to develop a permit coordination program appropriate for their specific resource needs. Both efforts are currently in the process of refining their program descriptions and beginning the program level CEQA documentation. Amending County regulations (for Santa Barbara County) would need to follow this effort, likely in early 2008, but requires direction by the Board of Supervisors as part of the P&D department's work program.

**Fiscal and Facilities Impacts:**

Budgeted: Yes

**Fiscal Analysis:**

Funding for this amendment work effort is budgeted in the Planning Support program of the Administration Division on page D-280 of the adopted Planning and Development Department's budget for fiscal year 2007-08. There are no facilities impacts.

Narrative: Establishing the definition and requirements for Beneficial Ecological Restoration Projects complies with Board of Supervisors direction and is part of the process improvement efforts of P&D.

**Special Instructions:**

Please provide the legal ad notice and mailing to the attached interested party list 10 days prior to the hearing on December 4, 2007.

**Attachments:**

- A. Board Resolution to amend the County of Santa Barbara Guidelines for the Implementation of the California Environmental Quality Act.
- B. Board Resolution to amend the County of Santa Barbara Environmental Thresholds and Guidelines Manual – Habitat Replacement/Compensation Guidelines
- C. CEQA Guidelines Section 15378(a) Notice of Exemption

Please note the following attachments are DRAFT resolutions. The final County Planning Commission and Montecito Planning Commission recommendation resolutions will be forwarded to the Board prior to the December 4<sup>th</sup>, 2007 hearing.

- D. County Planning Commission Recommendation Resolution to amend the County of Santa Barbara Guidelines for the Implementation of the California Environmental Quality Act.



- E. County Planning Commission Recommendation Resolution to amend the County of Santa Barbara Environmental Thresholds and Guidelines Manual – Habitat Replacement/Compensation Guidelines
- F. Montecito Planning Commission Recommendation Resolution to amend the County of Santa Barbara Guidelines for the Implementation of the California Environmental Quality Act.
- G. Montecito Planning Commission Recommendation Resolution to amend the County of Santa Barbara Environmental Thresholds and Guidelines Manual – Habitat Replacement/Compensation Guidelines

**Authored by:**

Dave Ward, Deputy Director – Development Review South

**cc:** Clerk of the Board  
Ed Yates, County Counsel  
Dianne Black, Director of Development Services  
Derek Johnson, Deputy Director Long Range Planning  
Dave Ward, Deputy Director of Development Review South

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ATTACHMENT A

RESOLUTION OF THE SANTA BARBARA COUNTY BOARD OF SUPERVISORS  
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF ADOPTING THE )  
BENEFICIAL ECOLOGICAL RESTORATION )  
PROJECT REQUIREMENTS AS AN AMENDMENT )  
TO THE COUNTY OF SANTA BARBARA )  
GUIDELINES FOR THE IMPLEMENTATION OF )  
THE CALIFORNIA ENVIRONMENTAL QUALITY )  
ACT. )

RESOLUTION NO.: 07 - \_\_\_\_  
07MIS-00000-00003

WITH REFERENCE TO THE FOLLOWING:

- A. On September 12, 1988, the Board of Supervisors adopted the County of Santa Barbara Guidelines for the Implementation of the California Environmental Quality Act, in order to provide County agencies, applicants and the public with definitions, procedures and forms to implement the California Environment Quality Act (CEQA) of 1970 and to supplement the State CEQA Guidelines; and
- B. The County Board of Supervisors now finds that it is in the interest of preserving, enhancing and restoring natural and biological resources of the County to amend the County of Santa Barbara Guidelines for the Implementation of the California Environmental Quality Act to establish a definition and the requirements for Beneficial Ecological Restoration Projects.

Said amendment text for Beneficial Ecological Restoration Project definition and requirements is attached hereto as Exhibit 1 and is incorporated herein by reference; and

- C. The proposed amendment for Beneficial Ecological Restoration Project definition and requirements is consistent with policies of the Santa Barbara County Comprehensive Plan, including applicable community and area plans, and the Coastal Land Use Plan that promote and encourage the preservation and enhancement of the County's natural and biological resources; and
- D. The County Planning Commission held a duly noticed public hearing on November 7, 2007 to consider the amendment to the County of Santa Barbara Guidelines for the Implementation of the California Environmental Quality Act and recommended adoption to the County Board of Supervisors; and
- E. The Montecito Planning Commission held a duly noticed public hearing on November 29, 2007 to consider the amendment to the County of Santa Barbara Guidelines for the Implementation of the California Environmental Quality Act and recommended adoption to the County Board of Supervisors; and
- F. This County Board of Supervisors held a duly noticed public hearing at which time the proposed amendment to the County of Santa Barbara Guidelines for the Implementation of the California Environmental Quality Act was explained and comments invited from the persons in attendance.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. The above recitations are true and correct.
2. In compliance with the provisions for Environmental Thresholds and Guidelines Amendment and Adoption, Section V. F.3.b(a), of the County of Santa Barbara Guidelines for the Implementation of the California Environmental Quality Act, the Board of Supervisors of the County of Santa Barbara, State of California, following the required noticed public hearing, approve and adopt the above mentioned amendment.
3. The Chair and Clerk of the Board of Supervisors are hereby authorized and directed to sign and certify all documents and other materials in accordance with this resolution to reflect the-above described action by the Board of Supervisors.

PASSED, APPROVED AND ADOPTED this December 4<sup>th</sup>, 2007 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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BROOKS FIRESTONE, Chair  
Board of Supervisors, County of Santa Barbara

ATTEST:


MICHAEL F. BROWN  
Clerk of the Board of Supervisors

By: \_\_\_\_\_  
Deputy Clerk

APPROVED AS TO FORM:

STEPHEN SHANE STARK  
COUNTY COUNSEL



By   
Deputy County Counsel

EXHIBITS:

1. County of Santa Barbara Guidelines for the Implementation of the California Environmental Quality Act - Amendment for Beneficial Ecological Restoration Project  
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**EXHIBIT 1 OF SANTA BARBARA COUNTY PLANNING COMMISSION RESOLUTION**

**COUNTY OF SANTA BARBARA GUIDELINES FOR THE IMPLEMENTATION OF THE  
CALIFORNIA ENVIRONMENTAL QUALITY ACT**

**AMENDMENT FOR  
BENEFICIAL ECOLOGICAL RESTORATION PROJECT REQUIREMENTS**

DECEMBER 2007 HEARING DRAFT

**GUIDELINES FOR THE IMPLEMENTATION OF THE  
CALIFORNIA ENVIRONMENTAL QUALITY ACT OF 1970, AS AMENDED**

Adopted by the  
Board of Supervisors  
County of Santa Barbara

September 12, 1988

(Revised 11/12/91)

(Revised 7/7/92)

(Revised 8/24/93)

(Revised 1/1/94)

(Revised 4/8/97)

(Revised 11/22 /05)

(Revised 12/4/2007)

GUIDELINES FOR THE IMPLEMENTATION OF THE  
CALIFORNIA ENVIRONMENTAL QUALITY ACT OF 1970, AS AMENDED

Adopted by the  
Board of Supervisors  
County of Santa Barbara

September 12, 1988

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## ARTICLE I - PURPOSE

The purpose of these Guidelines, is to provide the County of Santa Barbara, other agencies of which the Board of Supervisors is the governing Board, applicants and the public with definitions, procedures, and forms to be used in the implementation of CEQA, the California Environmental Quality Act (Public Resources Code Section 21000 and following) and to supplement the State CEQA Guidelines, (14 Cal. Admin. Code Section 15000 and following).

## ARTICLE II - INCORPORATION OF STATE CEQA GUIDELINES

The full text of the State Guidelines for the implementation of the California Environmental Quality Act (14 Cal. Admin. Code Section 15000 and following), as they may be amended from time to time, is incorporated by reference into this Article of the County Guidelines as if fully set out, and shall supersede any inconsistent provisions of these County Guidelines.

## ARTICLE III - DEFINITIONS

The following words, where not defined in the State Guidelines, shall have the meaning ascribed to them in these definitions. These definitions are intended to clarify County process by supplementing definitions used in the State CEQA Guidelines.

### A. BENEFICIAL ECOLOGICAL RESTORATION PROJECT

Beneficial ecological restoration projects by definition exclude required mitigation projects. Beneficial ecological restoration projects include the following projects and activities resulting in habitat enhancement: invasive exotic species removal, barrier removal or modification, creek/drainage daylighting, culvert replacement or modification, native habitat (e.g. wetland) expansion, enhancement, creation or restoration, revegetation with ecologically appropriate native species, water quality improvements, or other similar habitat restoration projects, where adverse impacts if any are short-term and temporary, where habitat restoration is the primary purpose of the project, and where there are no significant, unmitigated adverse impacts on biological resources. Beneficial ecological restoration projects apply a minimum 1:1 mitigation ratio. The project overall must have a recognized, long-term ecological benefit conducted in the best interests of the county's native biological resources.

### A.B. LEAD DEPARTMENT

The County department or agency of which the Board of Supervisors is the governing Board, which has the principal responsibility for carrying out,



4. Analysis of Projects Near Airports

For projects located within an Airport Land Use Plan area or within two miles of a public use airport, the California Department of Transportation (CALTRANS) Aeronautics handbook shall be consulted to provide guidance on analysis of noise and safety impacts.

G. MITIGATION MEASURES

Measures capable of reducing or avoiding potentially significant impacts shall be identified during the preliminary evaluation of non-exempt projects. A broad range of potential mitigations should be considered to maximize the potential for project modifications which mitigate adverse impacts and enable projects to qualify for Negative Declarations. The list of mitigation measures identified at the Initial Study stage must later be refined and specified to meet the standards for inclusion in environmental documents (ref. Articles VIB. and VIIB.).

H. BENEFICIAL ECOLOGICAL RESTORATION PROJECT REQUIREMENTS

Beneficial ecological restoration projects apply a minimum 1:1 mitigation ratio. The project overall must have a recognized, long-term ecological benefit conducted in the best interests of the county's native resources. The following criteria are applicable to beneficial ecological restoration projects:

1. The purpose of the beneficial ecological restoration project is to enhance or restore biological or habitat resources. These projects may have additional benefits such as soil conservation, water conservation, water quality improvements, etc. but may not be considered in conjunction with a development project.
2. The beneficial ecological restoration project restores, expands, enhances or recreates the existing or previously existing native habitat as in the affected area.

A beneficial ecological restoration project proposing to replace one habitat for another (such as conversion of upland habitat to expand wetland habitat) shall document why the desired habitat is preferential. Preferential criteria might include habitat for endangered, rare or threatened species or habitat values of local, statewide or federal importance.

3. The beneficial environmental restoration project's restoration plan is consistent with the County's biological performance standards (eg, spatial density of plantings) specified in the County's environmental thresholds.
4. Environmental review concludes the beneficial ecological restoration project will result in significant, long-term improvement to natural resources and habitat quality, and will

not result in the long term net loss of habitat value (i.e. demonstrates increase in habitat quality compared to existing conditions). In order to find no net loss in habitat value, this may require enhancement of adjacent areas (weeding or other improvements) that ensure successful restoration.

5. The beneficial ecological restoration project is consistent with applicable County plans and policies.
6. The beneficial ecological restoration project is consistent with State and Federal agency requirements.
7. The party conducting the beneficial ecological project has retained the necessary expertise and experience to implement the restoration and appropriate monitoring to ensure the success of the beneficial ecological restoration project (i.e., the party is or retains a resource agency or biological consultant or biologist with appropriate biological restoration expertise as determined by the County). Proposed projects utilizing volunteers to implement and monitor the restoration activity will have the training and oversight by a qualified expert.
8. The applicant for a beneficial environmental restoration project shall document adequate implementation resources exist to complete the beneficial project and ensure appropriate maintenance and monitoring.
9. Successful implementation and monitoring of the beneficial environmental restoration project can be satisfied by the property owner, party conducting the project or a sponsoring agency by submittal of a completion report documenting the following:
  - a. Summary of the implementation activity dates and personnel
  - b. Before and after photo documentation
  - c. Field information on status of restored area (may include survey data such as plant and wildlife species lists, and native plant percent coverage)
  - d. Completion reports shall be provided annually for 3 years or for the duration specified by a sponsoring agency.
10. The property owner on which the beneficial environmental restoration project is located is encouraged to maintain the project area for its habitat value or, if applicable, for the duration specified by a sponsoring agency.
11. Beneficial ecological restoration projects are encouraged to use appropriate native species from the local habitat area and/or seed stock when feasible.

#### H.1. MASTER ENVIRONMENTAL ASSESSMENTS

From time to time the County may choose to prepare a Master Environmental Assessment (MEA) to identify and organize environmental information for a region or issue within its jurisdiction.

ATTACHMENT B

RESOLUTION OF THE SANTA BARBARA COUNTY BOARD OF SUPERVISORS  
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF ADOPTING THE )  
BENEFICIAL ECOLOGICAL RESTORATION )  
PROJECT REFERENCE TEXT AS AN AMENDMENT )  
TO THE COUNTY OF SANTA BARBARA )  
ENVIRONMENTAL THRESHOLDS AND )  
GUIDELINES MANUAL. )

RESOLUTION NO.: 07 - \_\_\_\_  
CASE NO. 07MIS-00000-00002

WITH REFERENCE TO THE FOLLOWING:

- A. In May 1992, the Board of Supervisors adopted and published the County of Santa Barbara Environmental Thresholds and Guidelines Manual in order to provide County agencies, applicants and the public with definitions, procedures and forms to implement the California Environment Quality Act (CEQA) of 1970 and to supplement the State CEQA Guidelines; and
- B. The County Board of Supervisors now finds that it is in the interest of preserving, enhancing and restoring natural and biological resources of the County to amend the County of Santa Barbara Environmental Thresholds and Guidelines Manual, specifically Section 6 - Biological Resources, Habitat Replacement/Compensation Guidelines, to establish the text reference for Beneficial Ecological Restoration Project requirements.  
  
Said amendment reference text for Beneficial Ecological Restoration Project requirements is attached hereto as Exhibit 1 and is incorporated herein by reference; and
- C. The proposed amendment reference text for Beneficial Ecological Restoration Project requirements is consistent with policies of the Santa Barbara County Comprehensive Plan, including applicable community and area plans, and the Coastal Land Use Plan that promote and encourage the preservation and enhancement of the County's natural and biological resources; and
- D. The County Planning Commission held a duly noticed public hearing on November 7, 2007 to consider the amendment to the County of Santa Barbara Environmental Thresholds and Guidelines Manual and recommended adoption to the County Board of Supervisors; and
- E. The Montecito Planning Commission held a duly noticed public hearing on November 29, 2007 to consider the amendment to the County of Santa Barbara Environmental Thresholds and Guidelines Manual and recommended adoption to the County Board of Supervisors; and
- F. This County Board of Supervisors held a duly noticed public hearing at which time the proposed amendment to the County of Santa Barbara Environmental Thresholds and Guidelines Manual was explained and comments invited from the persons in attendance.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. The above recitations are true and correct.
2. In compliance with the provisions for the Rules for Use and Criteria for Amendment (Section 2.D) of the County of Santa Barbara Environmental Thresholds and Guidelines Manual, the Board of Supervisors of the County of Santa Barbara, State of California, following the required noticed public hearing, approve and adopt the above mentioned amendment.
3. The Chair and Clerk of the Board of Supervisors are hereby authorized and directed to sign and certify all documents and other materials in accordance with this resolution to reflect the above described action by the Board of Supervisors.

PASSED, APPROVED AND ADOPTED this December 4<sup>th</sup>, 2007 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
BROOKS FIRESTONE, Chair  
Board of Supervisors, County of Santa Barbara

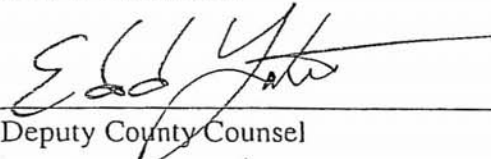
ATTEST:

MICHAEL F. BROWN  
Clerk of the Board of Supervisors

By: \_\_\_\_\_  
Deputy Clerk

APPROVED AS TO FORM:

STEPHEN SHANE STARK  
COUNTY COUNSEL

By:   
Deputy County Counsel

EXHIBITS:

1. County of Santa Barbara Environmental Thresholds and Guidelines Manual - Amendment for Reference Text for Beneficial Ecological Restoration Project Requirements

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**EXHIBIT 1 OF SANTA BARBARA COUNTY BOARD OF SUPERVISORS RESOLUTION**

**COUNTY OF SANTA BARBARA  
ENVIRONMENTAL THRESHOLDS AND GUIDELINES MANUAL  
AMENDMENT FOR  
BENEFICIAL-ECOLOGICAL RESTORATION PROJECT REQUIREMENTS**

**DECEMBER 2007 HEARING DRAFT**

**County of Santa Barbara**

**Environmental Thresholds and Guidelines Manual**

*Published May 1992*

*Revised January 1995, October 2001 and October 2002*

*Replacement pages July 2003*

*Interim Revision to Air Quality Sub-Sections October 2006*

*Revised December 2007*

**Planning and Development Department**

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Measures may include vegetative spatial buffer between project and habitat areas; revegetation; habitat enhancement; erosion and water quality protection; on-site replacement/compensation; maintenance and management measures such as fencing, weed control, use of building envelopes, and dedication of areas through open space or conservation easements or grant deed of development rights; short-term measures to protect against construction impacts (e.g., fencing, timing of construction to avoid nesting season).

c. Off-Site Mitigation

Compensate for on-site impacts through off-site measures.

When avoidance or on-site mitigation is infeasible or inadequate to reduce impacts, measures such as those listed under on-site mitigation can be considered in off-site locations, or may be accomplished through in-lieu fees. Off-site approaches may be appropriate at times if a greater ecological value may be clearly gained than with on-site mitigation. (i.e., where on-site habitat is of low quality or highly fragmented).

2. **Habitat Replacement/Compensation Guidelines**

The mitigation approach of replacing habitat either on-site or off-site, to compensate for habitat loss, is generally not a preferred approach because it always results in some habitat loss (either short-term or long-term), and because prospects for successful habitat replacement are problematic.

Replacement mitigation should involve the same habitat type, location(s) within the same watershed and as close as possible to the site of impact, and should result in comparable and compensating size and habitat value.

Beneficial Ecological Restoration Projects, where the purpose of the project is to enhance or restore biological or habitat resources, compensate replacement at a minimum ratio of 1:1. Refer to the *County Guidelines for the Implementation of the CEQA*, revised XX/XX/XXXX) for the definition and requirements for beneficial ecological restoration projects.

3. **Consultation on Mitigation and Project Design**

a. Biological Information

County biological information available to project applicants, consulting biologists and the public by appointment includes resource and wetland maps, historical aerial photographs, and a library of previous biological surveys and reports. More specific mitigation guidance is provided in a separate technical document augmenting these Guidelines.

ATTACHMENT C

NOTICE OF EXEMPTION

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: Dave Ward, Deputy Director  
Planning and Development Department

The project or activity identified below is determined to be exempt from further environmental review requirements of the California Environmental Quality Act (CEQA) of 1970, as defined in the State and County Guidelines for the implementation of CEQA.

APN(s): Not applicable.

Case Nos.: 07MIS-00000-00002 and 07MIS-00000-00003

Location: The proposed amendments to the County CEQA Guidelines and Environmental Thresholds document(s) would apply to the whole of the unincorporated areas of Santa Barbara County.

Project Title: Beneficial Ecological Restoration Project Requirements

Project Description: The purpose and intent for establishing Beneficial Ecological Restoration Project criteria is to identify a specific type of restoration project and requirements, including restoration ratio targets that would promote and encourage property owners, agencies and special interest groups to implement restoration projects that result in enhancing the County's natural and biological resources. The proposed amendments to the *County of Santa Barbara Guidelines for the Implementation of the California Environmental Quality Act* and *County of Santa Barbara Environmental Thresholds and Guidelines Manual* provide the necessary definition and requirements for a Beneficial Ecological Restoration Project.

Exempt Status: (Check one)

- Ministerial
- Statutory
- Categorical Exemption
- Emergency Project
- No Possibility of Significant Effect [§15378(a)]

Reasons to support exemption findings:

The proposed amendments to the County's CEQA Guidelines and Environmental Thresholds documents are recommended to be determined to be exempt from environmental review pursuant to Section 15378(a) of the California Guidelines for Implementation of the California Environmental Quality Act (CEQA) and PRC 21065. Section 15378(a) states that where an action cannot be found to be a "project", meaning the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, that



action is not subject to CEQA. Establishing the Beneficial Ecological Restoration Project definition and requirements does not result in a direct or reasonably foreseeable indirect change in the physical environment, but instead provides the criteria to identify a specific type of restoration project and requirements (including habitat replacement ratio) to promote and encourage property owners, agencies and special interest groups to implement restoration projects that enhance the County's natural and biological resources. The proposed definition and requirements do not change permitting requirements or change standards in the County's zoning ordinances. Depending on the scope and scale of any proposed beneficial project, CEQA would be assessed as part of any necessary County permit review. Each Beneficial Ecological Restoration Project would be assessed for CEQA compliance, including applicable exemptions. Therefore, these amendments to the County CEQA Guidelines and Environmental Thresholds documents (see Attachment C - Notice of Exemption) are not considered a project under CEQA and therefore, CEQA is not applicable to these amendments.

Lead Agency Contact Person: Dave Ward

Telephone No.: 805 568-2520

---

Department/Division Representative

Date

Acceptance Date: \_\_\_\_\_

Date Filed by County Clerk: \_\_\_\_\_

Note: A copy of this form must be posted at the Planning and Development Department six days prior to a decision on the project. Upon project approval, this form shall be filed with the County Clerk of the Board and posted by the Clerk of the Board for a period of 30 days to begin a 35 day statute of limitations on legal challenges.

Distribution:

- Clerk of the Board
- Hearing Support Staff
- Project file (Dave Ward)

ATTACHMENT D

RESOLUTION OF THE SANTA BARBARA COUNTY PLANNING COMMISSION  
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF RECOMMENDING TO THE )  
BOARD OF SUPERVISORS THE ADOPTION OF )  
BENEFICIAL ECOLOGICAL RESTORATION )  
PROJECT REQUIREMENTS AS AN AMENDMENT )  
TO THE COUNTY OF SANTA BARBARA )  
GUIDELINES FOR THE IMPLEMENTATION OF )  
THE CALIFORNIA ENVIRONMENTAL QUALITY )  
ACT. )

RESOLUTION NO.: 07 - \_\_\_\_  
07MIS-00000-00003

WITH REFERENCE TO THE FOLLOWING:

- A. On September 12, 1988, the Board of Supervisors adopted the County of Santa Barbara Guidelines for the Implementation of the California Environmental Quality Act, in order to provide County agencies, applicants and the public with definitions, procedures and forms to implement the California Environment Quality Act (CEQA) of 1970 and to supplement the State CEQA Guidelines; and
- B. The County Planning Commission now finds that it is in the interest of preserving, enhancing and restoring natural and biological resources of the County to recommend the Board of Supervisors amend the County of Santa Barbara Guidelines for the Implementation of the California Environmental Quality Act to establish a definition and the requirements for Beneficial Ecological Restoration Projects.

Said amendment text for Beneficial Ecological Restoration Project definition and requirements is attached hereto as Exhibit 1 and is incorporated herein by reference; and

- C. The proposed amendment for Beneficial Ecological Restoration Project definition and requirements is consistent with policies of the Santa Barbara County Comprehensive Plan, including applicable community and area plans, and the Coastal Land Use Plan that promote and encourage the preservation and enhancement of the County's natural and biological resources; and
- D. This Commission held a duly noticed public hearing at which time the proposed amendment to the County of Santa Barbara Guidelines for the Implementation of the California Environmental Quality Act was explained and comments invited from the persons in attendance.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

- 1. The above recitations are true and correct.

2. In compliance with the provisions for Environmental Thresholds and Guidelines Amendment and Adoption, Section V. F.3.b(a), of the County of Santa Barbara Guidelines for the Implementation of the California Environmental Quality Act, this Commission recommends the Board of Supervisors of the County of Santa Barbara, State of California, following the required noticed public hearing, approve and adopt the above mentioned recommendation of this Commission.
3. A certified copy of this resolution shall be transmitted to the Board of Supervisors.
4. The Chair of this Commission is hereby authorized and directed to sign and certify all documents and other materials in accordance with this resolution to show the above mentioned action by the Planning Commission.

PASSED, APPROVED AND ADOPTED this November 7<sup>th</sup>, 2007 by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

---

C. MICHAEL COONEY, Chair  
Santa Barbara County Planning Commission

ATTEST:

---

DIANNE MEESTER BLACK  
Secretary to the Commission

APPROVED AS TO FORM:

STEPHEN SHANE STARK  
COUNTY COUNSEL

By \_\_\_\_\_  
Deputy County Counsel

EXHIBITS:

1. County of Santa Barbara Guidelines for the Implementation of the California Environmental Quality Act - Amendment for Beneficial Ecological Restoration Project

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**EXHIBIT 1 OF SANTA BARBARA COUNTY PLANNING COMMISSION RESOLUTION**

**COUNTY OF SANTA BARBARA GUIDELINES FOR THE IMPLEMENTATION OF THE  
CALIFORNIA ENVIRONMENTAL QUALITY ACT**

**AMENDMENT FOR  
BENEFICIAL ECOLOGICAL RESTORATION PROJECT REQUIREMENTS**

NOVEMBER 2007 HEARING DRAFT

**GUIDELINES FOR THE IMPLEMENTATION OF THE  
CALIFORNIA ENVIRONMENTAL QUALITY ACT OF 1970, AS AMENDED**

Adopted by the  
Board of Supervisors  
County of Santa Barbara

September 12, 1988

(Revised 11/12/91)

(Revised 7/7/92)

(Revised 8/24/93)

(Revised 1/1/94)

(Revised 4/8/97)

(Revised 11/22 /05)

(Revised 12/4/2007)



GUIDELINES FOR THE IMPLEMENTATION OF THE  
CALIFORNIA ENVIRONMENTAL QUALITY ACT OF 1970, AS AMENDED

Adopted by the  
Board of Supervisors  
County of Santa Barbara

September 12, 1988

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## ARTICLE I - PURPOSE

The purpose of these Guidelines, is to provide the County of Santa Barbara, other agencies of which the Board of Supervisors is the governing Board, applicants and the public with definitions, procedures, and forms to be used in the implementation of CEQA, the California Environmental Quality Act (Public Resources Code Section 21000 and following) and to supplement the State CEQA Guidelines, (14 Cal. Admin. Code Section 15000 and following).

## ARTICLE II - INCORPORATION OF STATE CEQA GUIDELINES

The full text of the State Guidelines for the implementation of the California Environmental Quality Act (14 Cal. Admin. Code Section 15000 and following), as they may be amended from time to time, is incorporated by reference into this Article of the County Guidelines as if fully set out, and shall supersede any inconsistent provisions of these County Guidelines.

## ARTICLE III - DEFINITIONS

The following words, where not defined in the State Guidelines, shall have the meaning ascribed to them in these definitions. These definitions are intended to clarify County process by supplementing definitions used in the State CEQA Guidelines.

### A. BENEFICIAL ECOLOGICAL RESTORATION PROJECT

Beneficial ecological restoration projects by definition exclude required mitigation projects. Beneficial ecological restoration projects include the following projects and activities resulting in habitat enhancement: invasive exotic species removal, barrier removal or modification, creek/drainage daylighting, culvert replacement or modification, native habitat (e.g. wetland) expansion, enhancement, creation or restoration, revegetation with ecologically appropriate native species, water quality improvements, or other similar habitat restoration projects, where adverse impacts if any are short-term and temporary, where habitat restoration is the primary purpose of the project, and where there are no significant, unmitigated adverse impacts on biological resources. Beneficial ecological restoration projects apply a minimum 1:1 mitigation ratio. The project overall must have a recognized, long-term ecological benefit conducted in the best interests of the county's native biological resources.

### A.B. LEAD DEPARTMENT

The County department or agency of which the Board of Supervisors is the governing Board, which has the principal responsibility for carrying out,

4. Analysis of Projects Near Airports

For projects located within an Airport Land Use Plan area or within two miles of a public use airport, the California Department of Transportation (CALTRANS) Aeronautics handbook shall be consulted to provide guidance on analysis of noise and safety impacts.

G. MITIGATION MEASURES

Measures capable of reducing or avoiding potentially significant impacts shall be identified during the preliminary evaluation of non-exempt projects. A broad range of potential mitigations should be considered to maximize the potential for project modifications which mitigate adverse impacts and enable projects to qualify for Negative Declarations. The list of mitigation measures identified at the Initial Study stage must later be refined and specified to meet the standards for inclusion in environmental documents (ref. Articles VIB. and VIIB.).

H. BENEFICIAL ECOLOGICAL RESTORATION PROJECT REQUIREMENTS

Beneficial ecological restoration projects apply a minimum 1:1 mitigation ratio. The project overall must have a recognized, long-term ecological benefit conducted in the best interests of the county's native resources. The following criteria are applicable to beneficial ecological restoration projects:

1. The purpose of the beneficial ecological restoration project is to enhance or restore biological or habitat resources. These projects may have additional benefits such as soil conservation, water conservation, water quality improvements, etc. but may not be considered in conjunction with a development project.
2. The beneficial ecological restoration project restores, expands, enhances or recreates the existing or previously existing native habitat as in the affected area.

A beneficial ecological restoration project proposing to replace one habitat for another (such as conversion of upland habitat to expand wetland habitat) shall document why the desired habitat is preferential. Preferential criteria might include habitat for endangered, rare or threatened species or habitat values of local, statewide or federal importance.

3. The beneficial environmental restoration project's restoration plan is consistent with the County's biological performance standards (eg, spatial density of plantings) specified in the County's environmental thresholds.
4. Environmental review concludes the beneficial ecological restoration project will result in significant, long-term improvement to natural resources and habitat quality, and will

not result in the long-term net loss of habitat value (i.e. demonstrates increase in habitat quality compared to existing conditions). In order to find no net loss in habitat value, this may require enhancement of adjacent areas (weeding or other improvements) that ensure successful restoration.

5. The beneficial ecological restoration project is consistent with applicable County plans and policies.
6. The beneficial ecological restoration project is consistent with State and Federal agency requirements.
7. The party conducting the beneficial ecological project has retained the necessary expertise and experience to implement the restoration and appropriate monitoring to ensure the success of the beneficial ecological restoration project (i.e., the party is or retains a resource agency or biological consultant or biologist with appropriate biological restoration expertise as determined by the County). Proposed projects utilizing volunteers to implement and monitor the restoration activity will have the training and oversight by a qualified expert.
8. The applicant for a beneficial environmental restoration project shall document adequate implementation resources exist to complete the beneficial project and ensure appropriate maintenance and monitoring.
9. Successful implementation and monitoring of the beneficial environmental restoration project can be satisfied by the property owner, party conducting the project or a sponsoring agency by submittal of a completion report documenting the following:
  - a. Summary of the implementation activity dates and personnel
  - b. Before and after photo documentation
  - c. Field information on status of restored area (may include survey data such as plant and wildlife species lists, and native plant percent coverage)
  - d. Completion reports shall be provided annually for 3 years or for the duration specified by a sponsoring agency.
10. The property owner on which the beneficial environmental restoration project is located is encouraged to maintain the project area for its habitat value or, if applicable, for the duration specified by a sponsoring agency.
11. Beneficial ecological restoration projects are encouraged to use appropriate native species from the local habitat area and/or seed stock when feasible.

#### H.1. MASTER ENVIRONMENTAL ASSESSMENTS

From time to time the County may choose to prepare a Master Environmental Assessment (MEA) to identify and organize environmental information for a region or issue within its jurisdiction.

ATTACHMENT E

RESOLUTION OF THE SANTA BARBARA COUNTY PLANNING COMMISSION  
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF RECOMMENDING TO THE )  
BOARD OF SUPERVISORS THE ADOPTION OF )  
BENEFICIAL ECOLOGICAL RESTORATION )  
PROJECT REFERENCE TEXT AS AN AMENDMENT )  
TO THE COUNTY OF SANTA BARBARA )  
ENVIRONMENTAL THRESHOLDS AND )  
GUIDELINES MANUAL. )

RESOLUTION NO.: 07 - \_\_\_\_  
CASE NO. 07MIS-00000-00002

WITH REFERENCE TO THE FOLLOWING:

- A. In May 1992, the Board of Supervisors adopted and published the County of Santa Barbara Environmental Thresholds and Guidelines Manual in order to provide County agencies, applicants and the public with definitions, procedures and forms to implement the California Environment Quality Act (CEQA) of 1970 and to supplement the State CEQA Guidelines; and
- B. The County Planning Commission now finds that it is in the interest of preserving, enhancing and restoring natural and biological resources of the County to recommend that the Board of Supervisors amend the County of Santa Barbara Environmental Thresholds and Guidelines Manual, specifically Section 6 - Biological Resources, Habitat Replacement/Compensation Guidelines, to establish the text reference for Beneficial Ecological Restoration Project requirements.  
  
Said amendment reference text for Beneficial Ecological Restoration Project requirements is attached hereto as Exhibit 1 and is incorporated herein by reference; and
- C. The proposed amendment reference text for Beneficial Ecological Restoration Project requirements is consistent with policies of the Santa Barbara County Comprehensive Plan, including applicable community and area plans, and the Coastal Land Use Plan that promote and encourage the preservation and enhancement of the County's natural and biological resources; and
- D. This Commission held a duly noticed public hearing at which time the proposed amendment to the County of Santa Barbara Environmental Thresholds and Guidelines Manual was explained and comments invited from the persons in attendance.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. The above recitations are true and correct.

2. In compliance with the provisions for the Rules for Use and Criteria for Amendment (Section 2.D) of the County of Santa Barbara Environmental Thresholds and Guidelines Manual, this Commission recommends the Board of Supervisors of the County of Santa Barbara, State of California, following the required noticed public hearing, approve and adopt the above mentioned recommendation of this Commission.
3. A certified copy of this resolution shall be transmitted to the Board of Supervisors.
4. The Chair of this Commission is hereby authorized and directed to sign and certify all documents and other materials in accordance with this resolution to show the above mentioned action by the Planning Commission.

PASSED, APPROVED AND ADOPTED this November 7<sup>th</sup>, 2007 by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

---

C. MICHAEL COONEY, Chair  
Santa Barbara County Planning Commission

ATTEST:

---

DIANNE MEESTER BLACK  
Secretary to the Commission

APPROVED AS TO FORM:

STEPHEN SHANE STARK  
COUNTY COUNSEL

By \_\_\_\_\_  
Deputy County Counsel

EXHIBITS:

1. County of Santa Barbara Environmental Thresholds and Guidelines Manual - Amendment for Reference Text for Beneficial Ecological Restoration Project Requirements  
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**EXHIBIT 1 OF SANTA BARBARA COUNTY PLANNING COMMISSION RESOLUTION**

**COUNTY OF SANTA BARBARA  
ENVIRONMENTAL THRESHOLDS AND GUIDELINES MANUAL  
AMENDMENT FOR  
BENEFICIAL ECOLOGICAL RESTORATION PROJECT REQUIREMENTS**

**NOVEMBER 2007 HEARING DRAFT**



**County of Santa Barbara**

**Environmental Thresholds and Guidelines Manual**

*Published May 1992*

*Revised January 1995, October 2001 and October 2002*

*Replacement pages July 2003*

*Interim Revision to Air Quality Sub-Sections October 2006*

*Revised December 2007*

**Planning and Development Department**

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Measures may include vegetative spatial buffer between project and habitat areas; revegetation; habitat enhancement; erosion and water quality protection; on-site replacement/compensation; maintenance and management measures such as fencing, weed control, use of building envelopes, and dedication of areas through open space or conservation easements or grant deed of development rights; short-term measures to protect against construction impacts (e.g., fencing, timing of construction to avoid nesting season).

c. Off-Site Mitigation

Compensate for on-site impacts through off-site measures.

When avoidance or on-site mitigation is infeasible or inadequate to reduce impacts, measures such as those listed under on-site mitigation can be considered in off-site locations, or may be accomplished through in-lieu fees. Off-site approaches may be appropriate at times if a greater ecological value may be clearly gained than with on-site mitigation. (i.e., where on-site habitat is of low quality or highly fragmented).

2. **Habitat Replacement/Compensation Guidelines**

The mitigation approach of replacing habitat either on-site or off-site, to compensate for habitat loss, is generally not a preferred approach because it always results in some habitat loss (either short-term or long-term), and because prospects for successful habitat replacement are problematic.

Replacement mitigation should involve the same habitat type, location(s) within the same watershed and as close as possible to the site of impact, and should result in comparable and compensating size and habitat value.

Beneficial Ecological Restoration Projects, where the purpose of the project is to enhance or restore biological or habitat resources, compensate replacement at a minimum ratio of 1:1. Refer to the County Guidelines for the Implementation of the CEQA, revised XX/XX/XXXX) for the definition and requirements for beneficial ecological restoration projects.

3. **Consultation on Mitigation and Project Design**

a. Biological Information

County biological information available to project applicants, consulting biologists and the public by appointment includes resource and wetland maps, historical aerial photographs, and a library of previous biological surveys and reports. More specific mitigation guidance is provided in a separate technical document augmenting these Guidelines.

ATTACHMENT F

RESOLUTION OF THE SANTA BARBARA COUNTY MONTECITO PLANNING COMMISSION  
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF RECOMMENDING TO THE )  
BOARD OF SUPERVISORS THE ADOPTION OF )  
BENEFICIAL ECOLOGICAL RESTORATION )  
PROJECT REQUIREMENTS AS AN AMENDMENT )  
TO THE COUNTY OF SANTA BARBARA )  
GUIDELINES FOR THE IMPLEMENTATION OF )  
THE CALIFORNIA ENVIRONMENTAL QUALITY )  
ACT. )

RESOLUTION NO.: 07 - \_\_\_\_  
07MIS-00000-00003

WITH REFERENCE TO THE FOLLOWING:

- A. On September 12, 1988, the Board of Supervisors adopted the County of Santa Barbara Guidelines for the Implementation of the California Environmental Quality Act, in order to provide County agencies, applicants and the public with definitions, procedures and forms to implement the California Environment Quality Act (CEQA) of 1970 and to supplement the State CEQA Guidelines; and
- B. The Montecito Planning Commission now finds that it is in the interest of preserving, enhancing and restoring natural and biological resources of the County to recommend the Board of Supervisors amend the County of Santa Barbara Guidelines for the Implementation of the California Environmental Quality Act to establish a definition and the requirements for Beneficial Ecological Restoration Projects.  
  
Said amendment text for Beneficial Ecological Restoration Project definition and requirements is attached hereto as Exhibit 1 and is incorporated herein by reference; and
- C. The proposed amendment for Beneficial Ecological Restoration Project definition and requirements is consistent with policies of the Santa Barbara County Comprehensive Plan and the Coastal Land Use Plan, including the Montecito Community Plan, that promote and encourage the preservation and enhancement of the County's natural and biological resources; and
- D. This Commission held a duly noticed public hearing at which time the proposed amendment to the County of Santa Barbara Guidelines for the Implementation of the California Environmental Quality Act was explained and comments invited from the persons in attendance.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

- 1. The above recitations are true and correct.

2. In compliance with the provisions for Environmental Thresholds and Guidelines Amendment and Adoption, Section V. F.3.b(a), of the County of Santa Barbara Guidelines for the Implementation of the California Environmental Quality Act, this Commission recommends the Board of Supervisors of the County of Santa Barbara, State of California, following the required noticed public hearing, approve and adopt the above mentioned recommendation of this Commission.
3. A certified copy of this resolution shall be transmitted to the Board of Supervisors.
4. The Chair of this Commission is hereby authorized and directed to sign and certify all documents and other materials in accordance with this resolution to show the above mentioned action by the Planning Commission.

PASSED, APPROVED AND ADOPTED this November 29<sup>th</sup>, 2007 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

---

BOB BIERIG, Chair  
Santa Barbara County Montecito Planning Commission

ATTEST:

---

DIANNE MEESTER BLACK  
Secretary to the Commission

APPROVED AS TO FORM:

STEPHEN SHANE STARK  
COUNTY COUNSEL

By \_\_\_\_\_  
Deputy County Counsel

EXHIBITS:

1. County of Santa Barbara Guidelines for the Implementation of the California Environmental Quality Act - Amendment for Beneficial Ecological Restoration Project

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**EXHIBIT 1 OF SANTA BARBARA COUNTY MONTECITO PLANNING COMMISSION  
RESOLUTION**

**COUNTY OF SANTA BARBARA GUIDELINES FOR THE IMPLEMENTATION OF THE  
CALIFORNIA ENVIRONMENTAL QUALITY ACT**

**AMENDMENT FOR  
BENEFICIAL ECOLOGICAL RESTORATION PROJECT REQUIREMENTS**

NOVEMBER 2007 HEARING DRAFT

**GUIDELINES FOR THE IMPLEMENTATION OF THE  
CALIFORNIA ENVIRONMENTAL QUALITY ACT OF 1970, AS AMENDED**

Adopted by the  
Board of Supervisors  
County of Santa Barbara

September 12, 1988

(Revised 11/12/91)

(Revised 7/7/92)

(Revised 8/24/93)

(Revised 1/1/94)

(Revised 4/8/97)

(Revised 11/22 /05)

(Revised 12/4/2007)



GUIDELINES FOR THE IMPLEMENTATION OF THE  
CALIFORNIA ENVIRONMENTAL QUALITY ACT OF 1970, AS AMENDED

Adopted by the  
Board of Supervisors  
County of Santa Barbara

September 12, 1988

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## ARTICLE I - PURPOSE

The purpose of these Guidelines, is to provide the County of Santa Barbara, other agencies of which the Board of Supervisors is the governing Board, applicants and the public with definitions, procedures, and forms to be used in the implementation of CEQA, the California Environmental Quality Act (Public Resources Code Section 21000 and following) and to supplement the State CEQA Guidelines, (14 Cal. Admin. Code Section 15000 and following).

## ARTICLE II - INCORPORATION OF STATE CEQA GUIDELINES

The full text of the State Guidelines for the implementation of the California Environmental Quality Act (14 Cal. Admin. Code Section 15000 and following), as they may be amended from time to time, is incorporated by reference into this Article of the County Guidelines as if fully set out, and shall supersede any inconsistent provisions of these County Guidelines.

## ARTICLE III - DEFINITIONS

The following words, where not defined in the State Guidelines, shall have the meaning ascribed to them in these definitions. These definitions are intended to clarify County process by supplementing definitions used in the State CEQA Guidelines.

### A. BENEFICIAL ECOLOGICAL RESTORATION PROJECT

Beneficial ecological restoration projects by definition exclude required mitigation projects. Beneficial ecological restoration projects include the following projects and activities resulting in habitat enhancement: invasive exotic species removal, barrier removal or modification, creek/drainage daylighting; culvert replacement or modification, native habitat (e.g. wetland) expansion, enhancement, creation or restoration, revegetation with ecologically appropriate native species, water quality improvements, or other similar habitat restoration projects, where adverse impacts if any are short-term and temporary, where habitat restoration is the primary purpose of the project, and where there are no significant, unmitigated adverse impacts on biological resources. Beneficial ecological restoration projects apply a minimum 1:1 mitigation ratio. The project overall must have a recognized, long-term ecological benefit conducted in the best interests of the county's native biological resources.

### A.B. LEAD DEPARTMENT

The County department or agency of which the Board of Supervisors is the governing Board, which has the principal responsibility for carrying out,

4. Analysis of Projects Near Airports

For projects located within an Airport Land Use Plan area or within two miles of a public use airport, the California Department of Transportation (CALTRANS) Aeronautics handbook shall be consulted to provide guidance on analysis of noise and safety impacts.

G. MITIGATION MEASURES

Measures capable of reducing or avoiding potentially significant impacts shall be identified during the preliminary evaluation of non-exempt projects. A broad range of potential mitigations should be considered to maximize the potential for project modifications which mitigate adverse impacts and enable projects to qualify for Negative Declarations. The list of mitigation measures identified at the Initial Study stage must later be refined and specified to meet the standards for inclusion in environmental documents (ref. Articles VIB. and VIIB.).

H. BENEFICIAL ECOLOGICAL RESTORATION PROJECT REQUIREMENTS

Beneficial ecological restoration projects apply a minimum 1:1 mitigation ratio. The project overall must have a recognized, long-term ecological benefit conducted in the best interests of the county's native resources. The following criteria are applicable to beneficial ecological restoration projects:

1. The purpose of the beneficial ecological restoration project is to enhance or restore biological or habitat resources. These projects may have additional benefits such as soil conservation, water conservation, water quality improvements, etc. but may not be considered in conjunction with a development project.
2. The beneficial ecological restoration project restores, expands, enhances or recreates the existing or previously existing native habitat as in the affected area.

A beneficial ecological restoration project proposing to replace one habitat for another (such as conversion of upland habitat to expand wetland habitat) shall document why the desired habitat is preferential. Preferential criteria might include habitat for endangered, rare or threatened species or habitat values of local, statewide or federal importance.

3. The beneficial environmental restoration project's restoration plan is consistent with the County's biological performance standards (eg, spatial density of plantings) specified in the County's environmental thresholds.
4. Environmental review concludes the beneficial ecological restoration project will result in significant, long-term improvement to natural resources and habitat quality, and will

not result in the long-term net loss of habitat value (i.e. demonstrates increase in habitat quality compared to existing conditions). In order to find no net loss in habitat value, this may require enhancement of adjacent areas (weeding or other improvements) that ensure successful restoration.

5. The beneficial ecological restoration project is consistent with applicable County plans and policies.
6. The beneficial ecological restoration project is consistent with State and Federal agency requirements.
7. The party conducting the beneficial ecological project has retained the necessary expertise and experience to implement the restoration and appropriate monitoring to ensure the success of the beneficial ecological restoration project (i.e., the party is or retains a resource agency or biological consultant or biologist with appropriate biological restoration expertise as determined by the County). Proposed projects utilizing volunteers to implement and monitor the restoration activity will have the training and oversight by a qualified expert.
8. The applicant for a beneficial environmental restoration project shall document adequate implementation resources exist to complete the beneficial project and ensure appropriate maintenance and monitoring.
9. Successful implementation and monitoring of the beneficial environmental restoration project can be satisfied by the property owner, party conducting the project or a sponsoring agency by submittal of a completion report documenting the following:
  - a. Summary of the implementation activity dates and personnel
  - b. Before and after photo documentation
  - c. Field information on status of restored area (may include survey data such as plant and wildlife species lists, and native plant percent coverage)
  - d. Completion reports shall be provided annually for 3 years or for the duration specified by a sponsoring agency.
10. The property owner on which the beneficial environmental restoration project is located is encouraged to maintain the project area for its habitat value or, if applicable, for the duration specified by a sponsoring agency.
11. Beneficial ecological restoration projects are encouraged to use appropriate native species from the local habitat area and/or seed stock when feasible.

#### H.I. MASTER ENVIRONMENTAL ASSESSMENTS

From time to time the County may choose to prepare a Master Environmental Assessment (MEA) to identify and organize environmental information for a region or issue within its jurisdiction.

ATTACHMENT G

RESOLUTION OF THE SANTA BARBARA COUNTY MONTECITO PLANNING COMMISSION  
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF RECOMMENDING TO THE )  
BOARD OF SUPERVISORS THE ADOPTION OF )  
BENEFICIAL ECOLOGICAL RESTORATION )  
PROJECT REFERENCE TEXT AS AN AMENDMENT )  
TO THE COUNTY OF SANTA BARBARA )  
ENVIRONMENTAL THRESHOLDS AND )  
GUIDELINES MANUAL. )

RESOLUTION NO.: 07 - \_\_\_\_  
CASE NO. 07MIS-00000-00002

WITH REFERENCE TO THE FOLLOWING:

- A. In May 1992, the Board of Supervisors adopted and published the County of Santa Barbara Environmental Thresholds and Guidelines Manual in order to provide County agencies, applicants and the public with definitions, procedures and forms to implement the California Environment Quality Act (CEQA) of 1970 and to supplement the State CEQA Guidelines; and
- B. The Montecito Planning Commission now finds that it is in the interest of preserving, enhancing and restoring natural and biological resources of the County to recommend that the Board of Supervisors amend the County of Santa Barbara Environmental Thresholds and Guidelines Manual, specifically Section 6 - Biological Resources, Habitat Replacement/Compensation Guidelines, to establish the text reference for Beneficial Ecological Restoration Project requirements.  
  
Said amendment reference text for Beneficial Ecological Restoration Project requirements is attached hereto as Exhibit 1 and is incorporated herein by reference; and
- C. The proposed amendment reference text for Beneficial Ecological Restoration Project requirements is consistent with policies of the Santa Barbara County Comprehensive Plan and Coastal Land Use Plan, including the Montecito Community Plan, that promote and encourage the preservation and enhancement of the County's natural and biological resources; and
- D. This Commission held a duly noticed public hearing at which time the proposed amendment to the County of Santa Barbara Environmental Thresholds and Guidelines Manual was explained and comments invited from the persons in attendance.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

- 1. The above recitations are true and correct.

2. In compliance with the provisions for the Rules for Use and Criteria for Amendment (Section 2.D) of the County of Santa Barbara Environmental Thresholds and Guidelines Manual, this Commission recommends the Board of Supervisors of the County of Santa Barbara, State of California, following the required noticed public hearing, approve and adopt the above mentioned recommendation of this Commission.
3. A certified copy of this resolution shall be transmitted to the Board of Supervisors.
4. The Chair of this Commission is hereby authorized and directed to sign and certify all documents and other materials in accordance with this resolution to show the above mentioned action by the Planning Commission.

PASSED, APPROVED AND ADOPTED this November 29<sup>th</sup>, 2007 by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

---

BOB BIERIG, Chair  
Santa Barbara County Montecito Planning Commission

ATTEST:

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DIANNE MEESTER BLACK  
Secretary to the Commission

APPROVED AS TO FORM:

STEPHEN SHANE STARK  
COUNTY COUNSEL

By \_\_\_\_\_  
Deputy County Counsel

EXHIBITS:

1. County of Santa Barbara Environmental Thresholds and Guidelines Manual - Amendment for Reference Text for Beneficial Ecological Restoration Project Requirements  
G:\GROUP\PERMITTING\Case Files\MIS\2000s\07 cases\Beneficial Ecological Restoration Project Requirements\07MIS-00000-00002 Environmental Threshold Manual\Montecito PC 11\_29-07 Recommendation Resolution B.doc

**EXHIBIT 1 OF SANTA BARBARA COUNTY MONTECITO PLANNING COMMISSION  
RESOLUTION**

**COUNTY OF SANTA BARBARA  
ENVIRONMENTAL THRESHOLDS AND GUIDELINES MANUAL  
AMENDMENT FOR  
BENEFICIAL ECOLOGICAL RESTORATION PROJECT REQUIREMENTS**

NOVEMBER 2007 HEARING DRAFT



**County of Santa Barbara**

**Environmental Thresholds and Guidelines Manual**

*Published May 1992*

*Revised January 1995, October 2001 and October 2002*

*Replacement pages July 2003*

*Interim Revision to Air Quality Sub-Sections October 2006*

*Revised December 2007*

**Planning and Development Department**

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Measures may include vegetative spatial buffer between project and habitat areas; revegetation; habitat enhancement; erosion and water quality protection; on-site replacement/compensation; maintenance and management measures such as fencing, weed control, use of building envelopes, and dedication of areas through open space or conservation easements or grant deed of development rights; short-term measures to protect against construction impacts (e.g., fencing, timing of construction to avoid nesting season).

c. Off-Site Mitigation

Compensate for on-site impacts through off-site measures.

When avoidance or on-site mitigation is infeasible or inadequate to reduce impacts, measures such as those listed under on-site mitigation can be considered in off-site locations, or may be accomplished through in-lieu fees. Off-site approaches may be appropriate at times if a greater ecological value may be clearly gained than with on-site mitigation. (i.e., where on-site habitat is of low quality or highly fragmented).

2. **Habitat Replacement/Compensation Guidelines**

The mitigation approach of replacing habitat either on-site or off-site, to compensate for habitat loss, is generally not a preferred approach because it always results in some habitat loss (either short-term or long-term), and because prospects for successful habitat replacement are problematic.

Replacement mitigation should involve the same habitat type, location(s) within the same watershed and as close as possible to the site of impact, and should result in comparable and compensating size and habitat value.

Beneficial Ecological Restoration Projects, where the purpose of the project is to enhance or restore biological or habitat resources, compensate replacement at a minimum ratio of 1:1. Refer to the *County Guidelines for the Implementation of the CEQA*, revised XX/XX/XXXX) for the definition and requirements for beneficial ecological restoration projects.

3. **Consultation on Mitigation and Project Design**

a. Biological Information

County biological information available to project applicants, consulting biologists and the public by appointment includes resource and wetland maps, historical aerial photographs, and a library of previous biological surveys and reports. More specific mitigation guidance is provided in a separate technical document augmenting these Guidelines.