



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: P&D
Department No.: 053
For Agenda Of: 12/11/07
Placement: Administrative
Estimated Tme: NA
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department John Baker, P&D Director, 568-2085
Director:
Contact Info: Dianne Black, Development Services Director, P&D, 568-2086
SUBJECT: **Two Year Review of Changes to the County's California Environmental Quality Act Guidelines for Preparation of Environmental Impact Reports**

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 receive this report reviewing effects of the changes to the County's CEQA Guidelines adopted by the Board of Supervisors in October of 2005.

Summary:

The changes to the County's CEQA Guidelines, including 1) the use of a neutral environmental coordinator for public projects, 2) providing the option to applicants to release of Administrative Draft EIRs for private projects, and, 3) formal documentation of communications between county staff, consultants and applicants affecting the outcome of the EIR, have been implemented in the preparation of EIRs for public and private projects over the last two years.

Use of Environmental Coordinator: A number of environmental coordinators have been used when preparing an EIR for a County project, including for the Gaviota Road Bridge Replacement project, the Goleta Beach project, the Uniform Rules Project, and the Isla Vista Master Plan. The use of the environmental coordinator provided another review and improved the content and credibility of the EIRs for public projects.

Release of Administrative Draft EIRs: Applicants have been provided the option of reviewing the Administrative Draft EIR for their project since the change in the CEQA Guidelines. If the applicant is allowed to review the document, it becomes a public record and members of the public are also provided with the document if requested. To date, only one project applicant has requested to review an Administrative Draft EIR, the applicants for the Rancho Maria EIR. The Draft EIR has not yet been publicly circulated at the applicant's request to work through issues with adjacent property owners.

Documentation of Communications: Staff has continued with the previous practice of documenting communications with the applicant, consultant and staff that occur during the preparation of the Administrative and Public Draft EIR that affect the findings of the document. To date, no complaints regarding the level of documentation have been received.

Background

In January, 2005, the Board of Supervisors directed the County Executive Office to assign a project manager to review the County's CEQA Guidelines. The project manager was directed to work with an Executive Committee to review the County's California Environmental Quality Act Guidelines as they pertain to the preparation of environmental impact reports and make recommendations for any changes to improve the quality of the product and reduce the cost and length of time involved in the process.

The recommendations of the Executive Committee were developed over the course of several months and then brought their suggested changes to both the Planning Commissions for review and recommendation to your Board. Ultimately, the following changes were made:

1. For Public Projects, require 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. The Environmental Coordinator acts as the environmental hearing officer for the project.
2. For Private Projects, allow 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, expectations regarding documentation of communications between staff, the applicant and the consultant are clarified.
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.

Fiscal and Facilities Impacts:

This cost for preparation of this report is included in the adopted Planning and Development Budget for FY 2007-2008 under the Administration Division, Page D-281.

Special Instructions: NA

Authored by: Dianne Black 568-2086