

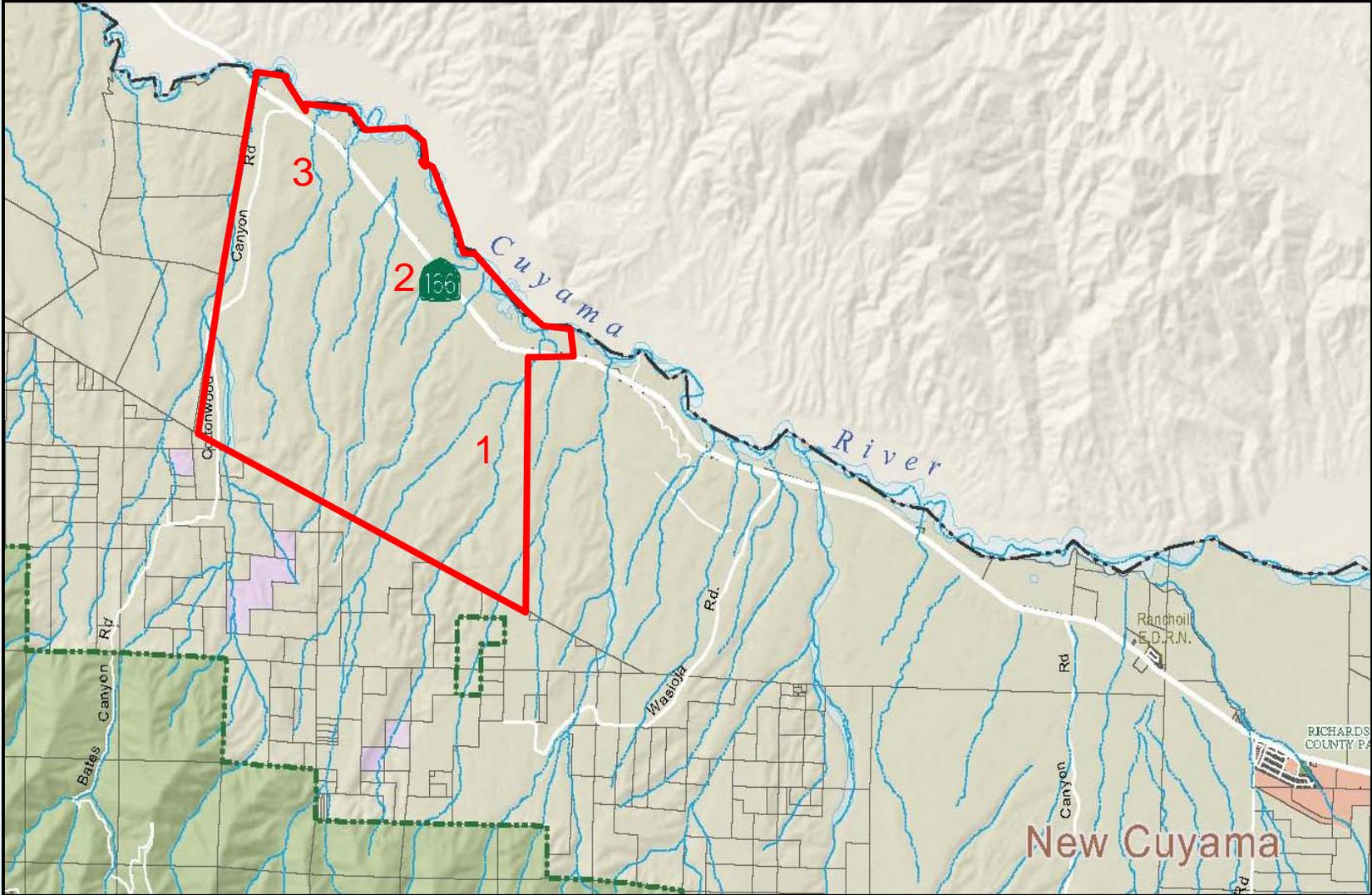
# **County of Santa Barbara Board of Supervisors**



## **Appeal of the Planning Commission's Decision to Prepare an EIR for the North Fork Ranch Frost Ponds Project**

February 5, 2019

# Project Site



# Reservoir Site No. 1



# Reservoir Site No. 2



# Reservoir Site No. 3



# Planning Commission Action

- The Planning Commission determined that the Mitigated Negative Declaration was not adequate and that an EIR should be prepared.
- The EIR should focus on:
  - water use impacts
  - biological resources
  - flooding impacts to State Highway 166.

# Appeal Issue No. 1

Cultivated agriculture is exempt from County permits and CEQA, and the proposed project's Final MND adequately evaluated project-related water use impacts.

# Appeal Issue No. 2

The MND prepared for the proposed project adequately evaluates the project's potential impacts to biological resources.

# Appeal Issue No. 3

The Mitigated Negative Declaration prepared for the proposed project adequately evaluates the project's potential slope failure-related impacts to State Highway 166.

# Board Action Option 1

- a. Conceptually determine that the Mitigated Negative Declaration, case no. 17NGD-000-00004, is inadequate and that an EIR is required because there is substantial evidence in the record supporting a fair argument that the project may have a significant effect on the environment;
- b. Conceptually deny the appeal, case no. 18APL-00000-00019, thereby affirming the Planning Commission's action;

# Board Action Option 1

(continued)

- c. Conceptually direct staff to prepare an EIR focused on potential impacts associated with evaporative water losses, biological resource impacts, and flooding impacts to State Highway 166; and to bring the project back to the Planning Commission for further consideration upon completion of the EIR; and
- d. Continue the hearing in order to adopt findings that an EIR is required to evaluate the environmental impacts of the proposed project.

# Board Action Option 2

- a. Conceptually determine that an EIR is not required because the current evidence in the record does not support that there is substantial evidence of a fair argument that the project as analyzed in the Mitigated Negative Declaration, case no. 17NGD-00000-00004 may have significant effect on the environment;
  
- b. Conceptually approve the appeal, case no. 18APL-00000-00019, thereby reversing the County Planning Commission's action;

# Board Action Option 2

(continued)

- c. Conceptually direct staff to bring the project back to the County Planning Commission for full consideration of the project; and
- d. Continue the hearing to adopt findings that an EIR is not required at this time.



# Questions?

February 5, 2019