General Public Comment Group 1

LATE DIST

Brianda Negrete

From: Shelly Cobb <shelly.cobb@me.com>
Sent: Tuesday, November 22, 2022 3:59 PM
To: Wageneck, Lael
Cc: Sneddon, Chris; Hart, Gregg; Supervisor Das Williams; Nelson, Bob; Lavagnino, Steve; Jones, Morgan; Hartmann, Joan; Modoc Preserve; Sabrina Venskus; sbcob
Subject: Re: Modoc MUP Phase II: NOD over-reach?

Follow Up Flag: Follow up
Flag Status: Completed

Lael,
You are correct that Supervisor Hart said the motion is approve "A through E with the caveat that Option A come back to the Board if that's the only viable option in the future."

https://youtu.be/lnFRI5xXmSM?t=34648

Supervisor Hart, what exactly was your intent when you said "come back to the Board..."? Come back for what purpose? I assume you were directing County Public Works to come back to the Board for approval on Alignment A before proceeding with design, but perhaps I read too much into your words. If that is not correct, what was your intent?

Shelly

> On Nov 13, 2022, at 3:38 PM, Wageneck, Lael <lwageneck@countyofsb.org> wrote:
>
> Hi Shelly,
> You are correct that the minutes have not been published yet. I have cc'd them on this email so they can let you know when the minutes have been published. In the meantime, here is a link to the Board documents related to that agenda item: https://santabarbara.legistar.com/LegislationDetail.aspx?ID=5899178&GUID=538A10E0-EFAF-43F8-A8CF-2CC7A32769BE&Options=&Search=
>
> Here is a link to the video of the hearing right before Sup. Hart makes the motion. His motion was to approve "A through E with the caveat that Option A come back to the Board if that's the only viable option in the future."
>
> https://youtu.be/lnFRI5xXmSM?t=34648
>
> Thank you,
> Lael

From: Shelly Cobb <shelly.cobb@me.com>
Sent: Saturday, November 12, 2022 4:30 PM
To: Sneddon, Chris <csneddo@countyofsb.org>
Cc: Hart, Gregg <gHart@countyofsb.org>; Supervisor Das Williams <SupervisorWilliams@countyofsb.org>; Nelson, Bob <bnelson@countyofsb.org>; Lavagnino, Steve <slavagnino@countyofsb.org>; Jones, Morgan <mmjones@countyofsb.org>; Wageneck, Lael <lwageneck@countyofsb.org>; Hartmann, Joan <jHartmann@countyofsb.org>; Modoc Preserve <modocpreserve@gmail.com>; Sabrina Venskus <venskus@lawsv.com>
Subject: Modoc MUP Phase II: NOD over-reach?

[Note: Resending to correct Supervisor Hartmann's email]

Re: Modoc Road Multi-use Path Phase II, Notice of Determination (NOD), Project Number 862416,
EIR or ND Number: 22NGD-00000-00003
Dated: November 2, 2022 (attached)

Dear Chris,

On the November 1, 2022, the Santa Barbara County Board of Supervisors unanimously voted 5-0 to approve the FMND Alignment B, ***with the stipulation as follows: if easements for Alignment B can not be obtained, for any reason, then the Board will reconvene to consider and vote on the approval of FMND Alignment A.***

Please confirm: Is this also your understanding?

Assuming my understanding is correct, I am surprised that the Notice of Determination submitted on November 2, attached, as well as Attachment B to the NOD, nowhere reflects this important stipulation made by the Board.

Instead, the last sentence of the project description seems to imply that the FMND is approved without stipulation or reservation. Specifically, the project description reads as follows:
"Should an easement be impracticable for any reason, the multi-use path would be entirely located within the County right-of-way along
Modoc Road."

Anyone reading this document unfamiliar with the FMND or the Board decision, including the Office of Planning & Research (OPR), would likely interpret this document to be a full and complete approval of the FMND with no stipulations or reservations. This is not the case.

In addition, Attachment B, 1.0 CEQA Findings, pursuant to CEQA GUIDELINE SECTIONS 15074, make no mention of the stipulations laid out by the Board in their decision.

Furthermore, Section D of Attachment B, 1.0 CEQA Findings, states, "The documents and other materials which constitute the record of proceedings upon which this document is based are in the custody of the Deputy Director of the Public Works Transportation Division, Santa Barbara County Public Works, located at 123 E. Anapamu St., Santa Barbara, CA 93101 and available for review upon request."

I have been unable to locate the minutes of the November 1 board meeting on the public County Board of Supervisors website; therefore, I respectfully and formally request a record of the documents and other materials which constitute the record of proceedings upon which this document is based.

Sincerely,
Shelly Cobb
CAMP volunteer