

LAW OFFICE OF MARC CHYTILO

ENVIRONMENTAL LAW

October 12, 2009

Chair Joseph Centeno
Santa Barbara County Board of Supervisors
105 East Anapamu Street
Santa Barbara, California 93101

By Email and Hand Delivery

RE: Item # 3, Tajiguas Landfill Waste Conversion Technology

Chair Centeno and Members of the Board of Supervisors:

This office represents the Gaviota Coast Conservancy ("GCC") in matters concerning the Tajiguas Landfill. We object to the proposed action as described in the Staff Report, the Request for Proposals and the Statement of Work, wherein Tajiguas Landfill is prematurely and improperly identified as the only location for the proposed conversion technology facility ("CTF").

CEQA mandates that the County be advised by an environmental review document before acting on "discretionary projects proposed to be carried out or approved by public agencies." Pub. Res. Code § 21080(a) (emphasis added). "Approval" is defined as "decisions that commit an agency to a definite course of action in regard to a project intended to be carried out." Guidelines § 15352(a) (emphasis added). The Staff Report states the CTF is "proposed at the Tajiguas Landfill" (page 1); the Board is request to "approve and authorize" the County's Letter of Interest which states that the CTF is "to be established at the Tajiguas Landfill" (Exhibit B); and the Statement of Work identifies that the CTF is "to be used at the Tajiguas Landfill." (Exhibit C). These affirmative actions reflect a decision, if adopted by your Board, that the CTF shall be at Tajiguas Landfill. Such action without CEQA compliance violates the law and precludes informed decisionmaking.

The decision to site the CTF at the Tajiguas Landfill will have substantial potential adverse environmental consequences from air pollution, greenhouse gasses, land use incompatibility, energy consumption, and cause adverse effects on the Gaviota Coast's aesthetic, recreational and biologic resources, including marine, freshwater aquatic and terrestrial habitat and the many populations of rare, threatened and endangered species in the region and on this site. Evidence in found in the County's own EIRs for the serial expansions of the Tajiguas Landfill, the Gaviota Creek bridge EIR, and in the environmental review documents from other major development projects on the Gaviota Coast including the Santa Barbara Ranch, Makar and Ballantyne Projects.

We request that Tajiguas Landfill not be prematurely identified as the site for the CTF and any reference to Tajiguas Landfill as the location be stricken from the aforementioned documents.

Sincerely,


Marc Chytilo

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