

SMARA Streamlining

06ORD-00000-00013

Revision to Land Use Dev. Code

Background

- Board Hearing – May 16, 2006
- “Expedite revisions to SMARA”

SMARA Streamlining Committee

- Surface Mine Operators
- Agricultural interests
- Trucking Firms
- Agricultural Commissioner's Office
- County Counsel
- Planning and Development

Public Review of Draft Ordinance

- Streamlining Committee
- Existing Mining Operators
- Agricultural Advisory Committee
- Agricultural Preserve Advisory Comm.
- State Mining and Geology Board

Objective:

- Improve agricultural lands
- Expedite the export of soil from farmlands
- Develop a streamlined SMARA permit process
- Comply with State and local SMARA requirements

Current SMARA Process

- Submittal of major CUP and RP (26-page app.)
- Review by Office of Mine Reclamation (OMR)
- CEQA Document and public notice
- Staff Report Preparation and notice
- Planning Commission Hearing
- OMR/ Mining Board Review
- Final Commission Approval
- Total time: ~ 290 days

Streamlined SMARA Process

- Submittal of minor CUP and RP (12-pg app)
- Submit App. to OMR for review/comment
- CEQA review and possible notice
- Staff report preparation and notice
- Zoning Administrator Hearing
- Total time: ~110 –180 days

Ordinance Revisions

- Permitted use in AG-II with minor CUP
- Definition:
 - “Agricultural Soil Export Mining”**
 - Grading for ag purposes
 - Export not exceeding 75,000 cu. yds.

Ordinance Revisions

- Minor edits from PC hearing on ZORP (09/07/06)
- Consistency between old and new process
- CEQA
- Noticing

Response to Ag Grading Exemption

Office of Mine Reclamation- Concurrence via e-mail

- “I’ve discussed the issue voiced in your email with OMR staff. We concur that the Lead Agency has correctly quoted SMARA with regards to exemption thresholds under Public Resources Code (PRC Sec. 2714) ... Therefore, any excavation of material that is greater than 1,000 cubic yards covered over an area greater than one acre is considered “mined lands” (PRC Sec. 2729) under SMARA and must be regulated as such.”

Kim A. Schwab, Supervisor Compliance Section

Recommendations

That the Board consider the recommendations of the Commission and:

- A. Find that this amendment is categorically exempt from CEQA pursuant to Sec. 15061(b)(3) of the Guidelines for implementation of CEQA.
- B. Adopt findings for approval of the proposed amendment.
- C. Adopt an Ordinance (Case No. 06ORD-00000-00013) amending Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35 of the County Code