



## Legislation Details (With Text)

<b>File #:</b>	16-00727	<b>Version:</b>	3
<b>Type:</b>	Agenda Item	<b>Status:</b>	Passed
<b>File created:</b>		<b>In control:</b>	BOARD OF SUPERVISORS
<b>On agenda:</b>	11/1/2016	<b>Final action:</b>	11/1/2016
<b>Title:</b>	<p>HEARING - Consider Case No. 16APL-00000-00020, the Pacific Coast Energy Company (PCEC, or appellant) appeal of the County Planning Commission's June 29, 2016 denial of the Orcutt Hill Resources Enhancement Plan project (Case Nos. 13PPP-00000-00001), Fourth District, as follows: (EST. TIME: 2 HR. 30 MIN.)</p> <p>a) If the Board chooses to approve the Careaga Exclusion Alternative, staff recommends the following motion;</p> <p>i) Deny the appeal, Case No. 16APL-00000-00020;</p> <p>ii) Make the required findings for denial of the project, included as Exhibit 1 to the October 11, 2016 Board Letter;</p> <p>iii) Find that denial of the project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15270 as specified in Attachment B to the July 8, 2016 staff memo to the Planning Commission (Exhibit 2 of the October 11, 2016 Board Letter);</p> <p>iv) Deny the project;</p> <p>v) Make the required findings for approval of the Careaga Exclusion Alternative, including CEQA findings;</p> <p>vi) Certify the Environmental Impact Report, Case No. 14EIR-00000-00001 (Attachment 4 of the October 11, 2016 Board Letter) for the Careaga Exclusion Alternative and adopt the mitigation monitoring program contained in the conditions of approval; and</p> <p>vii) Grant de novo approval of the Careaga Exclusion Alternative, Case No. 13PPP-00000-00001, subject to the conditions; or</p> <p>b) If the Board chooses to approve the Careaga and CTS Exclusion Alternative, staff recommends the following motion;</p> <p>i) Deny the appeal, Case No. 16APL-00000-00020;</p> <p>ii) Make the required findings for denial of the project, included as Exhibit 1 to the October 11, 2016 Board Letter;</p> <p>iii) Find that denial of the project is exempt from CEQA pursuant to CEQA Guidelines Section 15270 as specified in Attachment B to the July 8, 2016 staff memo to the Planning Commission (Exhibit 2 of the October 11, 2016 Board Letter);</p> <p>iv) Deny the project;</p> <p>v) Make the required findings for approval of the Careaga and CTS Exclusion Alternative, including CEQA findings;</p> <p>vi) Certify the Environmental Impact Report, Case No. 14EIR-00000-00001 (Attachment 4 of the</p>		

October 11, 2016 Board Letter) for the Careaga and CTS Exclusion Alternative and adopt the mitigation monitoring program contained in the conditions of approval; and

vii) Grant de novo approval of the Careaga and CTS Exclusion Alternative, Case No. 13PPP-00000-00001, subject to the conditions; or

c) Alternatively, refer to the Board Letter of October 11, 2016 for the motion for the Seep Can Only Alternative.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

**Sponsors:** PLANNING AND DEVELOPMENT DEPARTMENT

**Indexes:**

**Code sections:**

**Attachments:** 1. Board Letter, 2. Exhibit 1 - Findings for Project Denial, 3. Exhibit 2 - PC Memo 7 8 16, 4. Exhibit 3 - Findings for Seep Can Only Alternative, 5. Exhibit 5- Conditions of Approval for Seep Can Only Alternative, 6. Exhibit 6 - Planning Commission Staff Report 5 11 16, 7. Exhibit 7 - PC Memo 6 9 16, 8. Exhibit 8 - PC Memo 6 28 16 with MRS, 9. Exhibit 9 - Planning Commission Action Letter 7 18 16, 10. Exhibit 10 - PCEC Appeal to BOS 7 21 16, 11. Exhibit 11 - PC Memo 5 6 16, 12. Exhibit 12 - PC Memo 5 9 16, 13. Public Comment - Group 1, 14. Public Comment - Group 2, 15. Public Comment - Group 3, 16. Public Comment - Group 4, 17. Public Comment - Group 4a, 18. Public Comment - Group 5, 19. Public Comment - Group 6, 20. Ex Parte - Group 1, 21. Ex Parte - Group 2, 22. Ex Parte - Group 3, 23. Ex Parte - Group 4, 24. D. Pepin Memo dated 11/20/14, 25. APCD Letter dated 4-15-16, 26. Presentation - PCEC with Backup slides, 27. Presentation, 28. Board Memorandum dated November 1, 2016, 29. Careaga CTS Exclusion Conditions, 30. Careaga CTS Exclusion Findings, 31. PCEC Letter dated 10.28.2016, 32. EDC Letter Dated 10.28.2016, 33. Ex Parte - 11.1.2016 Group 1, 34. Ex Parte - 11.1.2016 Group 2, 35. Ex Parte - 11.1.2016 Group 3, 36. Ex Parte - 11.1.2016 Group 4, 37. Third District Documents Distributed 10.31.2016, 38. Public Comment - 11.1.2016 Group 1, 39. Public Comment - 11.1.2016 Group 2, 40. Public Comment - 11.1.2016 Group 3, 41. Public Comment - Center for Biological Diversity, 42. Presentation - 11/1/2016, 43. Presentation - EDC

Date	Ver.	Action By	Action	Result
11/1/2016	3	BOARD OF SUPERVISORS	Acted on as follows:	Pass
11/1/2016	3	BOARD OF SUPERVISORS	Acted on as follows:	Pass
10/11/2016	2	BOARD OF SUPERVISORS	Acted on as follows:	Pass
10/11/2016	2	BOARD OF SUPERVISORS	Acted on as follows:	Pass
10/11/2016	2	BOARD OF SUPERVISORS	Acted on as follows:	Fail
9/20/2016	1	BOARD OF SUPERVISORS	Set for a hearing, as follows:	Pass

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a) If the Board chooses to approve the Careaga Exclusion Alternative, staff recommends the following motion;

i) Deny the appeal, Case No. 16APL-00000-00020;

ii) Make the required findings for denial of the project, included as Exhibit 1 to the October 11, 2016 Board Letter;

iii) Find that denial of the project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15270 as specified in Attachment B to the July 8, 2016 staff memo to the Planning

Commission (Exhibit 2 of the October 11, 2016 Board Letter);

iv) Deny the project;

v) Make the required findings for approval of the Careaga Exclusion Alternative, including CEQA findings;

vi) Certify the Environmental Impact Report, Case No. 14EIR-00000-00001 (Attachment 4 of the October 11, 2016 Board Letter) for the Careaga Exclusion Alternative and adopt the mitigation monitoring program contained in the conditions of approval; and

vii) Grant de novo approval of the Careaga Exclusion Alternative, Case No. 13PPP-00000-00001, subject to the conditions; or

b) If the Board chooses to approve the Careaga and CTS Exclusion Alternative, staff recommends the following motion;

i) Deny the appeal, Case No. 16APL-00000-00020;

ii) Make the required findings for denial of the project, included as Exhibit 1 to the October 11, 2016 Board Letter;

iii) Find that denial of the project is exempt from CEQA pursuant to CEQA Guidelines Section 15270 as specified in Attachment B to the July 8, 2016 staff memo to the Planning Commission (Exhibit 2 of the October 11, 2016 Board Letter);

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**COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY**