



## Legislation Details (With Text)

**File #:** 18-01004 **Version:** 3

**Type:** Agenda Item **Status:** Passed

**File created:** **In control:** BOARD OF SUPERVISORS

**On agenda:** 3/5/2019 **Final action:** 3/5/2019

**Title:** HEARING - Consider recommendations regarding Findings Requiring Preparation of a Focused Environmental Impact Report (EIR) for the North Fork Ranch Frost Ponds Minor Conditional Use Permit, appeal case number 18APL-00000-00019, filed by Mr. Matt Turrentine of Brodiaea, Inc., the project applicant, of the County Planning Commission's, September 12, 2018, determination that the proposed Final Mitigated Negative Declaration (MND), case number 16NGD-00000-00004 prepared for the North Fork Ranch Frost Ponds project, case number 16CUP-00000-00005, located at 7400 Highway 166, Assessor's Parcel No. 147-010-045, approximately nine miles west of the community of New Cuyama, Fifth District, as follows: (EST. TIME: 15 MIN.)

a) Determine that the Mitigated Negative Declaration, case no. 17NGD-000-00004, is inadequate and make the finding 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) Deny the appeal, case no. 18APL-00000-00019, thereby affirming the Planning Commission's action; and

c) Direct staff to prepare a Focused EIR on issues associated with water use impacts from operation of the frost ponds and associated frost protection system, potential biological resource impacts, and potential flooding impacts to State Route 166.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

**Sponsors:** PLANNING AND DEVELOPMENT DEPARTMENT

**Indexes:**

**Code sections:**

**Attachments:** 1. Set Hearing Board Letter, 2. Attachment 1. PC Action Letter, 3. Attachment 2. PC Staff Report, 4. Attachment 3. Public Comment Letters, 5. Attachment 4. appeal letter, 6. Attachment 5. ZA action letter, 7. Attachment 6. Jaffe Gliessman appeal Application, 8. Attachment 7. rainfall data, 9. Public Comment - Chytilo 12-7-2018, 10. Public Comment - Chytilo 2-1-2019, 11. Public Comment - Gliessman Professor UC Santa Cruz, 12. Public Comment - Ryan, 13. Public Comment - d'Elgin, 14. Public Comment - Draucker, 15. Public Comment - Herum Attorney at Law, 16. Staff Presentation, 17. Appellant Presentation, 18. Public Comment - Group 1, 19. Board Letter - 3/5/2019, 20. Groundwater Basis Status Report, 21. Public Comment - Chytilo, 22. Presentation

Date	Ver.	Action By	Action	Result
3/5/2019	3	BOARD OF SUPERVISORS	Acted on as follows:	Pass
2/5/2019	2	BOARD OF SUPERVISORS	Acted on as follows:	Pass
2/5/2019	2	BOARD OF SUPERVISORS	Continued, as follows:	Pass
12/11/2018	1	BOARD OF SUPERVISORS	Set for a hearing, as follows:	Pass

HEARING - Consider recommendations regarding Findings Requiring Preparation of a Focused Environmental Impact Report (EIR) for the North Fork Ranch Frost Ponds Minor Conditional Use Permit, appeal case number 18APL-00000-00019, filed by Mr. Matt Turrentine of Brodiaea, Inc., the project applicant, of the County Planning Commission's, September 12, 2018, determination that the proposed Final Mitigated Negative

Declaration (MND), case number 16NGD-00000-00004 prepared for the North Fork Ranch Frost Ponds project, case number 16CUP-00000-00005, located at 7400 Highway 166, Assessor's Parcel No. 147-010-045, approximately nine miles west of the community of New Cuyama, Fifth District, as follows: (EST. TIME: 15 MIN.)

- a) Determine that the Mitigated Negative Declaration, case no. 17NGD-000-00004, is inadequate and make the finding 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) Deny the appeal, case no. 18APL-00000-00019, thereby affirming the Planning Commission's action; and
- c) Direct staff to prepare a Focused EIR on issues associated with water use impacts from operation of the frost ponds and associated frost protection system, potential biological resource impacts, and potential flooding impacts to State Route 166.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY