



## Legislation Text

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**File #: 20-00744, Version: 1**

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HEARING - Consider recommendations regarding the appeal filed by the Gaviota Coast Conservancy and the Coastal Ranches Conservancy, appellants, of the County Planning Commission's May 27, 2020 approval of the Caltrans Gaviota Culvert project, Case Nos. 19DVP-00000-00034, 19CUP-00000-00054, and 19CDP-00000-00133, Third District, as follows: (EST. TIME: 35 MIN.)

- a) Uphold the appeals, Case Nos. 20APL-00000-00009 (Attachment 8 of the Board Letter, dated September 1, 2020) and 20APL-00000-00010 (Attachment 7 of the Board Letter, dated September 1, 2020);
- b) Make the required findings for denial of the project, Case Nos. 19DVP-00000-00034, 19CUP-00000-00054, and 19CDP-00000-00133, including California Environmental Quality Act (CEQA) findings (Attachment 1 of the memo dated September 10, 2020);
- c) Determine that denial of the project is exempt from CEQA pursuant to CEQA Guidelines Section 15270(b) (Attachment 2 of the memo dated September 10, 2020); and
- d) Deny the project, Case Nos. 19DVP-00000-00034, 19CUP-00000-00054, and 19CDP-00000-00133;

Alternatively, should the Board choose to deny the appeals and approve the project, the Board's actions on September 22, 2020 should include the following:

- a) Deny the appeals, Case Nos. 20APL-00000-00009 (Attachment 8 of the Board Letter, dated September 1, 2020) and 20APL-00000-00010 (Attachment 7 of the Board Letter, dated September 1, 2020);
- b) Make the required findings for approval of the project, Case Nos. 19DVP-00000-00034, 19CUP-00000-00054, and 19CDP-00000-00133, including the California Environmental Quality Act (CEQA) findings (Attachment 1 of the Board Letter dated September 1, 2020);
- c) Consider the environmental effects of the project as shown in the Mitigated Negative Declaration (MND) (SCH No. 2018071001) dated February 28, 2019 (Attachment 5 of the Board Letter dated September 1, 2020) prepared and adopted by Caltrans, the lead agency, and determine that none of the conditions in CEQA Guidelines Section 15162 requiring a subsequent MND or Environmental Impact Report (EIR) have occurred; and
- d) Grant de novo approval of the project, Case Nos. 19DVP-00000-00034, 19CUP-00000-00054, and 19CDP-00000-00133, subject to the updated conditions of approval (Attachments 3-5 of the memo dated September 10, 2020).

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY