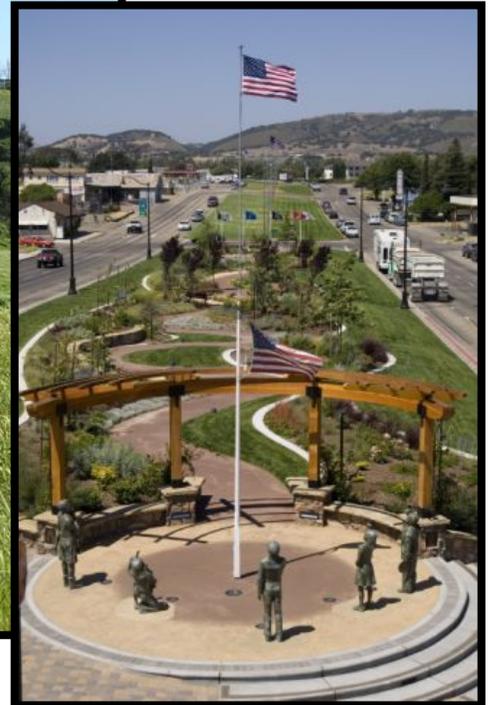




# **City of Buellton**

# **Environmental Procedures**



September 2006



## **Environmental Procedures City of Buellton, California**

Adopted by City Council Resolution 06-27, September 14, 2006

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# **ENVIRONMENTAL PROCEDURES CITY OF BUELLTON**

## **SECTION 1 – PURPOSE**

The purpose of these procedures is to provide officials of the City and private individuals with the environmental review requirements as set forth in Sections 21000, et seq., of the Public Resources Code (California Environmental Quality Act of 1970 (CEQA)), as amended, and consistent with the Guidelines for Implementation of CEQA, adopted by the California Department of Resources and found in Division 6, Title 14 of the California Administrative Code. These procedures replace the environmental procedures adopted by the City Council on March 14, 1996. The purpose of updating the City’s Environmental Procedures is to streamline the environmental review process consistent with State Law and to update the procedures to reflect changes in State Law since 1996.

### **Section 1.1 – Application**

These Environmental Procedures apply to all projects, both public and private, requiring approval by the City of Buellton.

### **Section 1.2 – CEQA and CEQA Guidelines**

CEQA and the CEQA Guidelines as adopted and amended by the State of California are hereby incorporated by reference into Buellton’s Environmental Procedures. Specific sections of CEQA and the CEQA Guidelines may be restated in this document for emphasis and clarification. In the event of a conflict between this document and CEQA and the CEQA Guidelines, CEQA and the CEQA Guidelines shall control and operate in the City of Buellton.

### **Section 1.3 – Revisions**

All revisions to these Environmental Procedures shall be approved by Resolution of the City Council.

## SECTION 2 – DEFINITIONS AND RESPONSIBILITIES

### Section 2.1 – Definitions

For the purpose of these Environmental Procedures, certain words and phrases are defined as set forth below. The definitions set forth in CEQA and the CEQA Guidelines are hereby incorporated by reference as though fully set forth herein.

A. CEQA

“CEQA” shall mean the California Environmental Quality Act of 1970, California Public Resources Code Sections 21000 et seq., as amended.

B. CEQA Guidelines

“CEQA Guidelines” shall mean the Guidelines for the Implementation of CEQA, Sections 15000 et seq., Division 6 of Title 14 of the California Administrative Code, as amended, and as adopted by the California Department of Resources.

C. Categorical Exemption

“Categorical Exemption” shall mean an exemption from CEQA for a class of projects based on a finding from the State Secretary of Resources that the class of projects does not have a significant effect on the environment (See Sections 15300 et seq. of the CEQA Guidelines).

D. City

“City” shall mean the City of Buellton.

E. City Council

“City Council” shall mean the City Council of the City of Buellton.

F. Discretionary Project

“Discretionary Project” shall mean a project which requires the exercise of judgment or deliberation when the City decides to approve or deny a particular activity, as distinguished from situations where the City merely has to determine whether there has been conformity with applicable statutes, ordinances, or regulations (e.g., ministerial project). Examples of discretionary projects include, but are not limited to, general plan amendments, rezones, subdivisions, conditional use permits, and development plans.

G. Environment

“Environment” shall mean the physical conditions which exist within the area which will be affected by a proposed project, including, but not limited to, land, air, water, minerals, flora, fauna, ambient noise, and objects of historical or aesthetic significance. The environment includes both natural and manmade conditions.

H. Environmental Impact Report (EIR)

“EIR” shall mean a detailed statement prepared under CEQA describing and analyzing the significant environmental impacts of a project and discussing ways to mitigate or avoid the impacts. The term EIR may mean either a Draft or Final EIR.

1. “Draft EIR” means an EIR that undergoes public review and contains the information specified in Sections 15120 et seq. of the CEQA Guidelines and Section 7 of these Environmental Procedures.
2. “Final EIR” means an EIR consisting of the Draft EIR, comments received during the public review process, a list of persons commenting, and the responses of the Lead Agency to the comments received. The Final EIR is described in Section 15132 of the CEQA Guidelines and Section 7 of these Environmental Procedures.

I. Environmental Officer

“Environmental Officer” shall mean the Planning Director of the City and that person’s duly authorized representatives.

J. Initial Study

“Initial Study ” shall mean a preliminary analysis prepared by the Lead Agency to determine whether an EIR, Negative Declaration, or Mitigated Negative Declaration must be prepared or to identify the significant impacts to be analyzed in an EIR.

K. Lead Agency

“Lead Agency” shall mean the public agency which has the principal responsibility for carrying out or approving a project. The Lead Agency will decide whether an EIR, Negative Declaration, or Mitigated Negative Declaration will be required for a project and will cause the document to be prepared.

L. Ministerial Project

“Ministerial Project” shall mean a governmental decision involving little or no personal judgment by the City. The City merely applies the law to the facts as presented but uses no special discretion or judgment in reaching a decision. Examples of Ministerial

Projects include, but are not limited to, zoning clearances, building permits, final subdivision maps, and certain sign permits.

M. Mitigation Measure

“Mitigation Measure” shall mean a condition or change to a project for the purpose of avoiding or reducing one or more of its potentially significant adverse environmental impacts.

N. Mitigated Negative Declaration (MND)

“Mitigated Negative Declaration” shall mean a Negative Declaration prepared when an Initial Study has identified potentially significant environmental impacts, but contains revisions or Mitigation Measures made by or agreed to by the project proponent, that clearly reduces the impacts of the proposed project to less than significant levels. There must also be no substantial evidence in the record that the project as revised may have a significant impact on the environment. The revisions or mitigation measures shall be made or agreed to by the project proponent prior to the public review of the MND.

O. Negative Declaration (ND)

“Negative Declaration” shall mean a written statement by the Lead Agency briefly describing the reasons a proposed project, not otherwise exempt from CEQA, will not have a significant impact on the environment and does not require the preparation of an EIR.

P. Planning Commission

“Planning Commission” shall mean the Planning Commission of the City of Buellton.

Q. Project

“Project” shall mean the whole of an action which has the potential for resulting either in a direct physical change to the environment, or reasonably foreseeable indirect physical changes to the environment (reference Section 15378 of the CEQA Guidelines).

R. Responsible Agency

“Responsible Agency” shall mean a public agency other than the Lead Agency which has discretionary approval power over a project.

S. Significant Impact

“Significant Impact” shall mean a substantial, or potentially substantial, adverse change in any of the physical conditions within an area affected by the proposed project

including, but not limited to, land, air, water, minerals, flora, fauna, ambient noise, and objects of historical and aesthetic significant. An economic or social change by itself shall not be considered a significant impact on the environment, but may be considered in determining whether the physical change is significant.

T. Substantial Evidence

“Substantial Evidence” shall mean enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions may also be reached. Whether a fair argument can be made is determined by examining the whole record before the Lead Agency. Argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly erroneous or inaccurate, or evidence of social or economic impacts which do not contribute to or are not caused by physical impacts on the environment does not constitute substantial evidence. Substantial evidence shall include facts, reasonable assumptions predicated on facts, and expert opinion supported by facts.

U. Trustee Agency

“Trustee Agency” shall mean a State Agency having jurisdiction by law over natural resources affected by a proposed project which are held in trust for the people of the State of California. Trustee Agencies relevant to the City of Buellton include the California Department of Fish and Game and the California Department of Parks and Recreation.

**Section 2.2 – Responsibilities**

A. City Council

When the City Council is the decision-making body on a project, the City Council has the authority for certifying Final EIRs, and approving and filing Mitigated Negative Declarations, Negative Declarations, and Categorical Exemptions.

In accordance with Section 11 of these Environmental Procedures, the City Council also acts as the appeal board for Planning Commission decisions on environmental determinations, Final EIRs, and Negative or Mitigated Negative Declarations.

B. Planning Commission

When the Planning Commission is the decision-making body on a project, the Planning Commission has the authority for certifying Final EIRs, and approving and filing Mitigated Negative Declarations, Negative Declarations, and Categorical Exemptions.

When the Planning Commission acts as an advisory body on a project, the Planning Commission shall review and make a recommendation on the environmental document to the City Council.

In accordance with Section 11 of these Environmental Procedures, the Planning Commission also acts as the appeal board for environmental determinations made by the Environmental Officer and for decisions on environmental documents of which the Planning Director/Zoning Administrator is the decision-maker.

C. Planning Director/Zoning Administrator

When the Planning Director/Zoning Administrator is the decision-maker on a project, the Planning Director/Zoning Administrator has the authority for approving environmental documents.

D. Environmental Officer

The Environmental Officer, and that person's duly authorized representatives, shall make all determinations on the level of environmental review for all projects, subject to appeal to the Planning Commission and City Council in accordance with Section 11 of these Environmental Procedures. The Environmental Officer also directs the preparation of all environmental documents.

E. Planning Department

The Planning Department, under the direction of the Planning Director, is responsible for the coordination and implementation of the City's Environmental Procedures.

The Planning Department is responsible for the preparation and processing of all environmental documents as well as preparing and filing all applicable environmental notices, including the filing of Notices of Determination.

## **SECTION 3 – GENERAL POLICIES**

### **Section 3.1 – General Policies**

The City Council finds that:

- A. Every citizen has a responsibility to contribute to the preservation and enhancement of the environment.
- B. It is the intent of the City Council that all departments and contract staff of the City which regulate activities of private individuals, corporations, and public agencies, including the City itself, which are found to affect the quality of the environment, shall regulate such activities so that major considerations are given to preventing environmental damage.

### **Section 3.2 – General Purpose of CEQA**

The City Council further finds that the basic purposes of CEQA are:

- A. Inform governmental decision-makers and the public about the potential significant environmental impacts of proposed activities.
- B. Identify ways that environmental damage can be avoided or significantly reduced.
- C. Prevent significant, avoidable damage to the environment by requiring changes in projects through use of alternatives or mitigation measures when the City finds the changes to be feasible.
- D. Disclose to the public the reasons why the City approved the project in the manner the City chose if significant environmental impacts are involved.

### **Section 3.3 – Reducing Delay and Paperwork**

The City Council further finds that the City shall reduce delay and paperwork in implementing these procedures by:

- A. Integrating the CEQA process into the early stages of a project.
- B. Identifying projects which fit into Categorical Exemptions and are therefore exempt from CEQA processing.
- C. Using initial studies to identify significant environmental impacts and thereby narrow the scope of environmental documents.

- D. Using a Negative Declaration when a project not otherwise exempt will not have a significant impact on the environment.
- E. Using a Mitigated Negative Declaration when a project not otherwise exempt will not have a significant impact on the environment with the incorporation of mitigation measures or revisions to the project.
- F. Using a previously prepared environmental document when it adequately addresses the impacts of the proposed project.
- G. Urging project proponents, either before or after the filing of an application, to revise projects to eliminate potential significant environmental impacts, thereby enabling the project to qualify for a Mitigated Negative Declaration or Negative Declaration instead of an EIR.
- H. Eliminating repetitive discussions of the same issues by using EIRs on programs, policies, or plans and tiering from reports of broad scope to those of narrower scope.
- I. Mentioning only briefly issues other than significant ones in EIRs.
- J. Writing environmental documents in plain language.
- K. Using incorporation by reference whenever possible.

### **Section 3.4 – General Responsibilities**

- A. It is the responsibility of the Environmental Officer, as authorized by the City Council, to ensure that all City departments, employees, and contract staff comply with the provisions of CEQA, the CEQA Guidelines, and these Environmental Procedures. Whether the City prepares the environmental document itself or contracts for its preparation, the City is entirely responsible for the adequacy and objectivity of the document.
- B. The City will endeavor to carry out its responsibilities for preparing and reviewing environmental documents within a reasonable period of time so as not to cause undue delays in processing of applications for permits or other entitlements. The time limits for the City to complete and certify an EIR shall not exceed one year from the day the application was deemed complete. The time limit to act on a Negative or Mitigated Negative Declaration shall not exceed 180 days from the day the application was deemed complete. An unreasonable delay by an applicant in meeting requests by the City necessary for the preparation of a Negative Declaration or an EIR shall suspend the running of the time periods described in Sections 15107 and 15108 of the CEQA Guidelines for the period of the unreasonable delay. Alternatively, the City may disapprove a project application where there is unreasonable delay in meeting requests.

The City may allow a renewed application to start at the same point in the process where the application was when it was disapproved.

## **SECTION 4 – ENVIRONMENTAL DETERMINATIONS**

Once a project application has been filed with the City, the Environmental Officer will review the project and make an initial environmental determination. The determination will be made on the form included as Appendix A. The environmental determination will be made no later than 30 days from the date on which an application for a project was received and deemed complete by the City.

### **Section 4.1 – Preliminary Evaluation**

The preliminary evaluation consists of determining whether or not the proposal is a project, a statutory exemption, a categorical exemption, or was adequately reviewed in a previous environmental document. These steps are sequential and are described below.

#### **Section 4.1.1 – No Project, Ministerial, Statutory Exemption**

The Environmental Officer shall determine whether the proposal is a project (refer to Section 15378 of the CEQA Guidelines) or whether the project is ministerial or otherwise a statutory exemption as set forth in the CEQA Guidelines. If it is determined that the project is exempt, no further environmental review is required. Please refer to Section 5 of these Environmental Procedures for a more detailed discussion of ministerial projects and other statutory exemptions and the process for filing a Notice of Exemption.

#### **Section 4.1.2 – Categorical Exemptions**

If the proposal is determined to be a discretionary project and is not a statutory exemption, the project will be reviewed to determine if the project qualifies for a Categorical Exemption as contained in Section 5 of these Environmental Procedures and the CEQA Guidelines. If the project qualifies for a Categorical Exemption, that recommendation will be made to the decision-making body. The decision-making body will make the final determination that the project is categorically exempt. The process for filing a Notice of Exemption is contained in Section 5 of these Environmental Procedures.

#### **Section 4.1.3 – Previous Environmental Document**

If the proposal is a discretionary project that does not qualify for a statutory or categorical exemption, the project may have been adequately reviewed in a previous EIR, Mitigated Negative Declaration, or Negative Declaration. If this determination is made based on review of the previous environmental document, and taking into account current site and cumulative conditions, no further environmental review is required, and any mitigation measures from the previous environmental document shall be incorporated into the proposed project.

## **Section 4.2 – Initial Study**

If a proposed project does not meet any of the requirements contained in Section 4.1, the project is required to undergo further environmental review through the Initial Study process. The Planning Department will prepare the Initial Study, or have it prepared under their direction. The Initial Study will determine whether a Negative Declaration, Mitigated Negative Declaration, or an EIR is required for the proposed project. The Environmental Officer may request additional environmental information from the project proponent in order to make the environmental determination. Failure to completely provide the additional information may delay processing of the project, and the application will not be deemed complete until the information is provided. The standard Initial Study/Environmental Checklist is provided in Appendix B.

### **Section 4.2.1 – Significance Determination**

If the Initial Study determines, based on substantial evidence in light of the whole record, that a project may have one or more significant or potentially significant impacts on the environment, then an EIR must be prepared. However, if revisions or mitigation measures can be applied to the project that would clearly reduce all impacts to a level of insignificance, and these revisions or mitigation measures are agreed to by the project proponent, then a Mitigated Negative Declaration can be prepared. Please refer to Section 6 of these Environmental Procedures for the Mitigated Negative Declaration process, and Section 7 of these Environmental Procedures for the EIR process.

The criteria for determining a significant impact on the environment are contained in the CEQA Guidelines. In addition, the City generally uses the following criteria in determining if certain impacts are considered significant:

A. **Traffic**

If an intersection or roadway segment deteriorates to a Level of Service “D” or worse as a result of the project, or if the traffic generation exceeds Congestion Management Plan threshold levels, and the impacts in either case cannot be mitigated to a level of insignificance.

B. **Noise**

If the noise level standards contained in the Noise Element of the General Plan are exceeded as a result of the project and cannot be reduced to meet those standards through mitigation measures.

C. **Air Quality**

If the threshold standards of the County of Santa Barbara Air Pollution Control District for Reactive Organics or Nitrogen Oxides (ozone precursors) are exceeded and cannot be mitigated to acceptable levels.

## **SECTION 5 – PROJECTS EXEMPT FROM ENVIRONMENTAL REVIEW**

Projects that are ministerial,<sup>1</sup> categorically exempt,<sup>2</sup> or are a statutory exemption<sup>3</sup> do not require the preparation of an EIR, Mitigated Negative Declaration, or Negative Declaration. A Notice of Exemption (see Appendix C) may be filed with the County Recorder when the exemption status has been determined.

### **Section 5.1 – Ministerial Projects**

The following is a partial list of typical ministerial projects in the City of Buellton. However, when a project involves an approval that contains elements of both a ministerial action and a discretionary action, or the Environmental Officer determines that the project may have environmental impacts that may require review, the project will be deemed to be discretionary and will be subject to the requirements of CEQA and the CEQA Guidelines.

- A. The issuance of zoning clearances and building permits.
- B. Approval of final maps.
- C. Approval of individual utility service connections and disconnections.
- D. Certain types of signs.
- E. Temporary permits.
- F. Certain residential uses as follows: (1) one single family dwelling; (2) one duplex building; and (3) accessory buildings incidental to a residential use.
- G. Home occupations.
- H. Retaining walls not exceeding three feet in height.
- I. Fences, walls, walks, patios, porches, awnings, and similar structures.
- J. Encroachment permits.

### **Section 5.2 – Categorical Exemptions**

Section 15300 et seq. of the CEQA Guidelines lists the projects, as determined by the State Secretary of Resources, that do not have a significant impact on the environment. These classes of projects are declared to be categorically exempt from CEQA and do not require the preparation of an environmental document. However, certain exceptions apply to these projects

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<sup>1</sup> Section 15268 of the CEQA Guidelines.

<sup>2</sup> Section 15300 et seq. of the CEQA Guidelines.

<sup>3</sup> Section 15260 et seq. of the CEQA Guidelines.

as noted in Section 5.2.1 of these Environmental Procedures. If any of these exceptions apply, the project is no longer categorically exempt and the appropriate environmental document must be prepared.

#### Section 5.2.1 – Exceptions

A categorical exemption shall not be applicable if any of the following conditions apply to a project.

A. Location

Categorically exempt classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located – a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to be exempt in all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

B. Cumulative Impact

All exemptions are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time, is significant.

C. Significant Impact

A Categorical Exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant impact on the environment due to unusual circumstances.

D. Scenic Highways

A Categorical Exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, or within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted Negative Declaration or certified EIR.

E. Hazardous Waste Sites

A Categorical Exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

F. Historical Resources

A Categorical Exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historic resource.

**Section 5.3 – Statutory Exemption**

Certain other projects are statutory exemptions which are listed in Section 15260 et seq. of the CEQA Guidelines.

**Section 5.4 – Notice of Exemption (NOE)**

When the City determines that a project is exempt from the requirements of CEQA, it may file a Notice of Exemption (Appendix C) in accordance with Section 15062 of the CEQA Guidelines. The filing of the NOE starts a 35 day statute of limitations on legal challenges to the City's decision that the project is exempt from CEQA.

## **SECTION 6 – NEGATIVE/MITIGATED NEGATIVE DECLARATION PROCESS**

### **Section 6.1 – Negative Declaration**

A Negative Declaration shall be prepared if the initial study shows that the proposed project will not have significant impact on the environment. The Environmental Officer will prepare the Negative Declaration for adoption by the decision-maker. Contents and processing of a Negative Declaration are described in Sections 6.3 and 6.4 of these Environmental Procedures.

### **Section 6.2 – Mitigated Negative Declaration**

A Mitigated Negative Declaration shall be prepared if the initial study finds:

- A. The proposed project may have possible adverse environmental impacts on the environment, but through revisions to the project or the imposition of mitigation measures, such impacts are mitigated or avoided so that clearly no significant impacts remain, and
- B. There is no substantial evidence in the entire record that significant impacts would result from the project as revised or mitigated.

The project proponent shall agree to these revisions or mitigation measures before the Mitigated Negative Declaration can be released for public review. This agreement is accomplished by the project proponent signing the Agreement to Accept Mitigation Form (Appendix D). Once the form is signed, the Environmental Officer will release the Mitigated Negative Declaration for public review and process the document for adoption by the decision-makers. The decision-makers shall make all mitigation measures conditions of project approval. Contents and processing of a Mitigated Negative Declaration are described in Sections 6.3 and 6.4 of these Environmental Procedures.

### **Section 6.3 – Contents of Negative/Mitigated Negative Declarations**

The Negative/Mitigated Negative Declaration must contain all of the items noted in Section 15071 of the CEQA Guidelines. The City's Negative/Mitigated Negative Declaration format, which also includes the environmental checklist, is included as Appendix B. In addition, the one page Negative/Mitigated Negative Declaration form that will ultimately be sent to the County Recorder as part of the Notice of Determination shall be attached (Appendix E).

### **Section 6.4 – Processing of Negative/Mitigated Negative Declarations**

#### **Section 6.4.1 – Public Notice and Review**

A Notice of Availability shall be provided in accordance with Section 15072 of the CEQA Guidelines. The Notice of Availability is included as Appendix F. The City has adopted the

following minimum noticing standards in accordance with Section 15072 of the CEQA Guidelines:

- A. Publication of the Notice of Availability at least one time in the Santa Ynez Valley News;
- B. Mailing of the Notice of Availability to Responsible Agencies, the Buellton Library, and the Clerk of the Board of Santa Barbara County;
- C. Posting the Notice of Availability in three conspicuous public places; and
- D. Mailing the Notice of Availability to organizations and individuals who have requested such notice in writing.

The Negative/Mitigated Negative Declaration document is made available as follows:

- A. One copy at the Buellton Library.
- B. One copy at the Planning Department Office.
- C. Copies mailed to Responsible and Trustee Agencies.
- D. Copies mailed to organizations and individuals requesting the document.

If State agencies are Responsible or Trustee Agencies, 15 copies of the environmental document are sent to the State Clearinghouse. The Notice of Completion form (Appendix G) must also be completed and accompany the transmittal to the State Clearinghouse.

The public review period for Negative/Mitigated Negative Declarations is a minimum of 30 days if the document is sent to the State Clearinghouse; otherwise, the public review period shall be at least 20 days. The 30-day State review period begins when the State Clearinghouse receives the environmental document.

A public hearing on the draft Negative/Mitigated Negative Declaration during the public review period is not required by CEQA. The City may, for large or controversial projects, hold a public hearing during the public review process to solicit additional public comments. If a public hearing is held, the notice of public hearing shall follow the noticing requirements described in the Buellton Municipal Code equal to that required for the project's entitlement approvals.

#### Section 6.4.2 – Adoption of Negative/Mitigated Negative Declarations

Before approving a project, the decision-making body shall consider the draft Negative/Mitigated Negative Declaration and any comments received during the public review period. All comment letters shall be attached to the Negative/Mitigated Negative Declaration. If the decision-making body finds, based on the Negative/Mitigated Negative Declaration and any

comments received, that there is no substantial evidence that the project may have a significant impact on the environment, the decision-making body may authorize the filing of the Negative/Mitigated Negative Declaration. In the case of a Mitigated Negative Declaration, the decision-making body must also incorporate all mitigation measures into the project as conditions of approval. A mitigation monitoring program shall also be adopted with a Mitigated Negative Declaration (see Section 8 of these Environmental Procedures).

#### Section 6.4.3 – Notice of Determination

Within five days after the decision-making body approves a project for which a Negative/Mitigated Negative Declaration has been adopted, the Environmental Officer shall file a Notice of Determination with the Santa Barbara County Clerk of the Board. The Notice of Determination shall also be filed with the State Office of Planning and Research if the environmental document was submitted to the State Clearinghouse. The Notice of Determination form is included as Appendix H.

In accordance with Section 711.2 of the Fish and Game Code, if a project impacts plants or animals, a fee payable to the California Department of Fish and Game shall accompany the Notice of Determination. The fee is the responsibility of the project proponent. However, if the City finds a “De Minimis” impact to plants and animals, no fee is required. The “De Minimis” Impact form (Appendix I) shall be filed with the Notice of Determination.

The complete Notice of Determination paperwork consists of the following:

- A. A cover letter;
- B. The Notice of Determination Form (Appendix H);
- C. The Negative/Mitigated Negative Declaration form (Appendix E); and
- D. The Fish and Game “De Minimis” Impact form (Appendix I) or the applicable fee.

## **SECTION 7 – ENVIRONMENTAL IMPACT REPORT (EIR) PROCESS**

### **Section 7.1 – EIR Required**

An EIR shall be prepared if the Initial Study shows that the proposed project may, or will, have a significant impact on the environment, or the level of impact is unknown. The Environmental Officer will prepare, or contract with a consultant to prepare, the EIR for certification by the decision-makers.

### **Section 7.2 – Types of EIRs**

The various types of EIRs are described in Section 15160 et seq. of the CEQA Guidelines. The most common EIRs used by the City are:

- A. Project EIR (Section 15161 of the CEQA Guidelines).
- B. Subsequent EIR (Section 15162 of the CEQA Guidelines).
- C. Supplement to an EIR (Section 15163 of the CEQA Guidelines).
- D. Addendum to an EIR (Section 15164 of the CEQA Guidelines).
- E. Program EIR (Section 15168 of the CEQA Guidelines).
- F. Master EIR (Section 15175 of the CEQA Guidelines).

### **Section 7.3 – General Requirements**

- A. EIRs must contain all items noted in Section 15120 et seq. of the CEQA Guidelines.
- B. EIRs shall be written in language sufficiently simple that issues can be understood by an average member of the public.
- C. The information contained in the EIR shall include a summary of technical data, maps, diagrams, and similar information sufficient to permit full assessment of the environmental impacts by Responsible and Trustee Agencies and the general public. Placement of highly technical and specialized analysis and data in the body of the EIR should be avoided through inclusion of these data in technical appendices. Appendices to an EIR may be prepared in volumes separate from the basic EIR, but shall be available for public review and shall be submitted to all Responsible and Trustee Agencies.
- D. The EIR will be prepared using a systematic interdisciplinary approach. The interdisciplinary analysis shall be conducted by competent individuals, but no single discipline shall be required to prepare an EIR. Preparation of EIRs is dependent on

information from many sources. The EIR shall reference all documents used in the preparation and the location where these documents may be viewed.

- E. The EIR shall discuss environmental impacts in proportion to their severity and probability of occurrence. Impacts dismissed in the Initial Study as clearly insignificant and unlikely to occur need not be discussed further in the EIR unless the City subsequently receives relevant information inconsistent with the finding in the initial study. A copy of the Initial Study should be included as an appendix to the EIR.
- F. An EIR shall contain a statement briefly indicating the reasons for determining that impacts that could possibly be considered significant were found to be insignificant and are not discussed in detail in the EIR.
- G. Preparing an EIR involves some degree of forecasting. While forecasting the unforeseeable is not possible, every effort will be made to find and disclose all reasonable information. If, after thorough investigation, the City finds that a particular impact is too speculative for evaluation, the City will note this conclusion and terminate the discussion of the impact in the EIR.
- H. An EIR may incorporate by reference any or all portions of another document which are a matter of public record or are generally available to the public. Where all or part of another document is incorporated by reference, the incorporated language shall be considered to be set forth in full as part of the EIR. The location where the referenced document may be viewed shall be cited in the EIR.
- I. Subsequent and Supplemental EIRs are subject to the same noticing requirements as a Project or Program EIR (see Section 7.4 of these Environmental Procedures). Addendum EIRs are processed pursuant to Section 15164 of the CEQA Guidelines.

#### **Section 7.4 – Processing an EIR**

The following are the steps necessary for preparing and processing an EIR within the City of Buellton. A complete discussion of the EIR process is contained in Section 15080 et seq. of the CEQA Guidelines.

##### **Section 7.4.1 – Notice of Preparation (NOP)**

A Notice of Preparation (Appendix J) is prepared and sent by certified mail to all Responsible Agencies, Trustee Agencies, the Clerk of the Board of Santa Barbara County, the State Clearinghouse, and other interested agencies for their review and comment. The agencies have 30 days to respond. A list of agencies relevant to the City of Buellton is included as Appendix K. The purpose of the NOP is to notify the various agencies about the project, solicit their comments on the scope and content of the EIR, and to foster interagency coordination and cooperation.

### Section 7.4.2 – Scoping

The scope of the EIR is determined using one or more of the following sources: Initial Studies, previous environmental documents, responses to the NOP, consultation with other agencies, and/or public scoping meetings.

### Section 7.4.3 – Use of Consultants

The City's policy is to have a consultant under contract to the City to prepare EIR's. Project proponents for private development projects are responsible for the full cost of preparation of EIR's. The City has an environmental consultant under a standing contract to prepare EIRs. The City will receive a cost proposal from this consultant to prepare an EIR. At the request of the project proponent, the City can also use the Request for Proposal (RFP) process to obtain additional proposals from other firms. Appendix L describes the RFP process of the City.

### Section 7.4.4 – Draft EIR

The Draft EIR is prepared by the City's consultant and contains the required items pursuant to Section 15120 et seq. of the CEQA Guidelines.

### Section 7.4.5 – Public Review of Draft EIR

- A. A Notice of Completion (NOC) form (Appendix G) is prepared and included with distribution of the Draft EIR and filed with the State Clearinghouse with the Draft EIR.
- B. The public availability of the Draft EIR is given in the following ways:
  - 1. A NOC Legal Ad is published in the Santa Ynez Valley News (Appendix M).
  - 2. The NOC is posted in three conspicuous public locations.
  - 3. The NOC is sent by certified mail to the Clerk of the Board of Santa Barbara County.
  - 4. The NOC and Draft EIR are delivered to the Buellton Library.
  - 5. The NOC and Draft EIR are sent via certified mail to all agencies and individuals that were sent the NOP.
  - 6. Fifteen copies of the NOC and Draft EIR are sent via certified mail to the State Clearinghouse.

7. A copy of the NOC and Draft EIR is sent to all City Council and Planning Commission members, as well as to all department heads.
- C. The public review period for a Draft EIR is 45 days unless a shorter period of not less than 30 days is approved by the State Clearinghouse.
  - D. A public hearing on the Draft EIR during the public review period is not required by CEQA. The City may, for large or controversial projects, hold a public hearing during the public review process to solicit additional public comments. If a public hearing is held, the notice of public hearing shall follow the noticing requirements described in the Buellton Municipal Code equal to that required for the project's entitlement approvals.

#### Section 7.4.6 – Final EIR

Comments received on the Draft EIR are incorporated into a Final EIR. The Final EIR includes the text of the Draft EIR and any revisions, all comment letters received on the Draft EIR, any public comments during a public hearing on the Draft EIR, the City's responses to all written and oral comments received on the Draft EIR, and a list of all commentators on the Draft EIR.

#### Section 7.4.7 – Notice of Public Hearing

The proposed project, along with the Final EIR, are scheduled concurrently for a public hearing before the City. The notice of public hearing shall follow the noticing requirements described in the Buellton Municipal Code for the project's entitlement approvals.

#### Section 7.4.8 – Certification of the Final EIR

- A. Prior to approving a project, the decision-making body must certify that the Final EIR was prepared in compliance with CEQA, and that the Final EIR was presented to the decision-making body, which reviewed and considered the Final EIR before approving the project.
- B. The decision-making body that certifies the Final EIR may either be the Planning Commission or City Council, depending on the type of project. In some cases, the Planning Commission is the advisory body and recommends certification to the City Council.
- C. Findings (Section 15091 of the CEQA Guidelines). The City shall not approve or carry out a project for which an EIR was prepared which has one or more significant impacts unless the City makes one or more of the following findings:
  1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental impacts as identified in the Final EIR;

2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the City. Such changes have been adopted by such other agency or can and should be adopted by other such agency; and/or
  3. Specific economic, legal, social, technological or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR. If this finding is made, a Statement of Overriding Considerations must be adopted.
- D. Statement of Overriding Considerations (SOOC) (Section 15093 of the CEQA Guidelines). If the City approves a project with unavoidable significant environmental impacts, it must prepare a written SOOC. The SOOC must set forth substantial evidence of the specific economic, legal, social, technological or other benefits supporting the City's decision to approve the project. If the economic, legal, social, technological or other benefits outweigh the unavoidable adverse environmental effects, those unavoidable effects may be considered acceptable.
- E. If the decision-making body cannot find that the Final EIR was prepared in accordance with CEQA and the CEQA Guidelines, the Final EIR shall be referred back to the Environmental Officer for revisions to the document to bring it into conformance with CEQA and the CEQA Guidelines. This may require recirculation of a revised Draft EIR.
- F. The Final EIR must be certified prior to the decision-making body approving a project.
- G. A mitigation monitoring program, in the City's standard format (Appendix N), shall be adopted along with the CEQA Findings and SOOC. The City's Mitigation Monitoring Procedures are contained in Section 8 of these Environmental Procedures.

#### Section 7.4.9 – Notice of Determination

Within five days after the decision-making body approves a project for which a Final EIR was certified, the Environmental Officer shall file a Notice of Determination with the Santa Barbara County Clerk of the Board and the State Office of Planning and Research. The Notice of Determination Form is included as Appendix H.

In accordance with Section 711.2 of the Fish and Game Code, if a project impacts fish or wildlife, a fee payable to the California Department of Fish and Game shall accompany the Notice of Determination. The fee is the responsibility of the project proponent. However, if the City finds a "De Minimis" impact to fish and wildlife, as defined in Section 711.2 of the Fish and Game Code, no fee is required. The "De Minimis" Impact form (Appendix I) shall be filed with the Notice of Determination.

The complete Notice of Determination paperwork for a Final EIR consists of the following:

- A. A cover letter;
- B. The Notice of Determination Form (Appendix H);
- C. The Fish and Game “De Minimis” Impact form (Appendix I) or the applicable fee.

**Section 7.5 – Standards for Adequacy**

An EIR should be prepared with a sufficient degree of analysis to provide the decision-makers with information that enables them to make a decision that takes into account the environmental consequences of a project. The evaluation of the environmental impacts of a project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection, but for adequacy, completeness, and a good faith effort at full disclosure. (Reference Section 15151 of the CEQA Guidelines)

## SECTION 8 – MITIGATION MONITORING PROGRAM

Pursuant to Section 21081.6 of CEQA, all jurisdictions must have a method for monitoring compliance and implementation of adopted mitigation measures.

### **Section 8.1 – Monitoring Procedures**

#### Section 8.1.1 – Development of Checklist

After a project is approved with mitigation measures identified through a Mitigated Negative Declaration or EIR, these mitigation measures shall be incorporated into a monitoring checklist (Appendix N). Each mitigation measure will be identified separately on the checklist, with various spaces for monitoring the progress of each measure as it is implemented. The checklist is the basis for the monitoring program.

#### Section 8.1.2 – Monitoring Program

In most cases, mitigation measures can be monitored through the City’s existing Zoning Clearance process when the project proponent submits grading and building plans for City review. The City will review these plans and will note compliance or non-compliance for each mitigation measure on the checklist.

The mitigation measures are broken down into two types: project specific and cumulative. The project specific impacts are further broken down into project design and ongoing mitigation measures. Each type of mitigation measure requires different monitoring techniques.

#### A. Project Design Mitigation Measure (Project Specific)

A project design mitigation measure is one that is to be incorporated into the project design to mitigate an impact, such as a storm water basin, construction of a noise wall, or road improvements. These mitigation measures will normally be shown on the building and/or grading plans. The plans will be reviewed for each specific mitigation measure, and as each mitigation measure is shown on the plans, the City will sign the checklist in the “Shown on Plans” space. If a mitigation measure is not shown on the plans, the plans are sent back for corrections with the deficiency noted. Plans will not be approved by the City until each mitigation measure has been incorporated into the project design. After the plans receive Zoning Clearance, and before the final inspection of the project, the project proponent shall submit proof that each Project Design Mitigation Measure has been installed or completed. Verification of completion will be noted on the monitoring checklist and signed off. This completes the process for Project Design Mitigation Measures.

B. Ongoing Mitigation Measure (Project Specific)

An ongoing mitigation measure is one that is associated with the project over a period of time, such as dust control or landscape maintenance. Monitoring of this type of mitigation measure is similar to that of Project Design Mitigation Measures as noted above, except that the status of each mitigation measure will be noted at various times over the life of the project until no longer required. An example would be maintaining dust control until the project is completed. The project proponent may be required to submit periodic reports on the status of these types of mitigation measures.

C. Cumulative Mitigation Measure

Cumulative mitigation measures, such as road improvements when future projects are developed, will be monitored in the same manner as project specific mitigation measures as noted above, except that cumulative mitigation measures will be noted as cumulative on the checklist, and will usually be monitored over a longer period of time.

Section 8.1.3 – Outside Consultants

An outside consultant may be hired in the few cases where a mitigation measure cannot be verified through the Zoning Clearance process, or if the monitoring requires specialized expertise. An example would be the monitoring of biological impacts requiring an on-site biologist. The City will hire the consultant and may collect a deposit from the project proponent to cover the cost of the outside consultant.

Section 8.1.4 – Other Agencies

It is the responsibility of other agencies to monitor mitigation measures requested by these other agencies. The City shall notify these agencies of their mitigation monitoring requirements. These agencies must submit a proposed mitigation monitoring program to the City. These agencies shall inform the City in writing when each of their mitigation measures has been completed.

Section 8.1.5 – Completed Monitoring Checklist

Mitigation monitoring checklists are retained in the project case file, and are available for public review upon proper request pursuant to the requirements of the Buellton Municipal Code.

**Section 8.2 – Monitoring Fees**

Section 8.2.1 – Processing Fees

The City may charge and collect from the project proponent a fee in the amount of the actual costs to the City for monitoring all mitigation measures of a project. A deposit may be required to be applied towards this fee. Any unused portion of the deposit will be refunded.

### Section 8.2.2 – Consultant Fees

The cost associated with the use of an outside consultant shall be paid for by the project proponent. A deposit may be required by the City to be applied towards the consultant services. Any unused portion of the deposit will be refunded.

## **SECTION 9 – DELAY OF PERMITS AND INSPECTION OF DOCUMENTS**

### **Section 9.1 – Delay of Permits**

The issuance of any City permit or entitlement shall be withheld during the pendency of a related administrative appeal or during the time period within which a related administrative appeal may be perfected. However, when consistent with the Buellton Municipal Code, a City permit or entitlement may be issued during the pendency of a related administrative appeal or during the a related appeal period upon a showing of good cause by the project proponent to which the permit or entitlement applies and the provision of a suitable covenant, undertaking, or both, acceptable to the City Attorney.

### **Section 9.2 – Inspection of Documents**

The Environmental Officer shall make all environmental documents and supporting materials available for public inspection following a request pursuant to State Law and applicable provisions of the Buellton Municipal Code.

## **SECTION 10 – PROCEDURES FOR THE CITY AS A RESPONSIBLE AGENCY**

This Section identifies the duties of the City when acting as a Responsible Agency under the provisions of Section 15096 of the CEQA Guidelines.

### **Section 10.1 – Response to Consultation**

The Environmental Officer shall respond in writing to consultation requests by a Lead Agency according to Section 15096(b) of the CEQA Guidelines. The Environmental Officer shall attend meetings requested by the Lead Agency as provided in Section 15096(c) of the CEQA Guidelines.

### **Section 10.2 – Comments on Environmental Documents**

The Environmental Officer shall review and comment on environmental documents as provided in Section 15096 of the CEQA Guidelines. If the environmental document is for a controversial project or has policy implications for the City, the Environmental Officer may bring the environmental document to the Planning Commission and/or City Council for review and direction. Copies of City comments on the environmental document to the Lead Agency shall be copied to the City Manager and members of the City Council.

## **SECTION 11 – APPEALS**

This Section only applies to appeals of environmental determinations and the approval of environmental documents. Appeal procedures relating to other aspects of City decisions are found in the Buellton Municipal Code.

### **Section 11.1 – Appeals Permitted**

Any person aggrieved, including any City official, the general public, and the proponent of the project, may appeal the following:

- A. The environmental determination of the Environmental Officer.
- B. The approval or certification of an environmental document by the Planning Director/Zoning Administrator.
- C. The approval or certification of an environmental document by the Planning Commission.
- D. The environmental determination of the Planning Commission as heard on appeal from the environmental determination of the Environmental Officer.

### **Section 11.2 – Appeals to the Planning Commission**

Environmental determinations of the Environmental Officer and approval or certification of an environmental document by the Planning Director/Zoning Administrator may be appealed to the Planning Commission. The appeal shall be submitted with 10 calendar days of official notification in writing to the project proponent of the environmental determination or approval or certification of the environmental document. The appeal shall be in written form to the Environmental Officer and shall be accompanied by the currently adopted appeal fee as set by City Council Resolution. The appeal letter shall state the grounds for appeal and the action the appellant would like the Planning Commission to take. The appeal shall be heard within 45 calendar days after receipt of a valid written appeal unless a longer time period is agreed to by the project proponent. The Planning Commission shall render its decision within 30 calendar days thereafter.

### **Section 11.3 – Appeals to the City Council**

Environmental determinations and approval or certification of environmental documents by the Planning Commission may be appealed to the City Council. The appeal shall be submitted within 10 calendar days from the date of Planning Commission action. The appeal shall be in written form to the City Manager and shall be accompanied by the currently adopted appeal fee as set by City Council Resolution. The appeal letter shall state the grounds for appeal and the action the appellant would like the City Council to take. The appeal shall be heard within 45 calendar days

after receipt of a valid written appeal unless a longer time period is agreed to by the project proponent. The City Council shall render its decision within 30 calendar days thereafter.



# **City of Buellton**

# **Environmental Procedures**

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**Appendix A**  
**Environmental Determination Form**



**ENVIRONMENTAL DETERMINATION FORM  
CITY OF BUELLTON**

**Project Name:**

**Level of Environmental Review**

- Not a Project (CEQA Guidelines Section 15378(b))
- General Exemption (CEQA Guidelines Section 15061(b)(3))
- Emergency Project (CEQA Guidelines Sections 15269 and 15359)
- Ministerial Project (CEQA Guidelines Sections 15602(i), 155369(l), and 15268)
- Statutory Exemption, CEQA Guidelines Section \_\_\_\_\_
- Categorical Exemption, Class \_\_\_\_\_, CEQA Guidelines Section \_\_\_\_\_
- Project adequately reviewed in previous environmental document:  
\_\_\_\_\_
- Initial Study
- Environmental Impact Report

Type: \_\_\_\_\_

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Environmental Officer  
Title**



# **City of Buellton**

# **Environmental Procedures**

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**Appendix B**  
**Initial Study/Negative Declaration Format**

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*Draft*  
**Initial Study/(Mitigated) Negative Declaration  
For the  
(Project Name)**

*Prepared for:*  
**City of Buellton**  
107 West Highway 246  
Buellton, California 93427



*Prepared by:*

Date

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# INTRODUCTION

## LEGAL AUTHORITY

This Initial Study/Mitigated Negative Declaration (IS/MND) has been prepared in accordance with the *CEQA Guidelines* and relevant provisions of the California Environmental Quality Act (CEQA) of 1970, as amended.

**Initial Study.** Section 15063(c) of the *CEQA Guidelines* defines an Initial Study as the proper preliminary method of analyzing the potential environmental consequences of a project. The purposes of an Initial Study are:

- (1) To provide the Lead Agency with the necessary information to decide whether to prepare an Environmental Impact Report (EIR) or a Mitigated Negative Declaration;
- (2) To enable the Lead Agency to modify a project, mitigating adverse impacts, thus avoiding the need to prepare an EIR; and
- (3) To provide sufficient technical analysis of the environmental effects of a project to permit a judgment based on the record as a whole, that the environmental effects of a project have been adequately mitigated.

## IMPACT ANALYSIS AND SIGNIFICANCE CLASSIFICATION

The following sections of this IS/MND provide discussions of the possible environmental effects of the proposed project for specific issue areas that have been identified in the CEQA Initial Study Checklist. For each issue area, potential effects are isolated.

A “significant effect” is defined by Section 15382 of the *CEQA Guidelines* as “a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by a project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.” According to the *CEQA Guidelines*, “an economic or social change by itself shall not be considered a significant effect on the environment, but may be considered in determining whether the physical change is significant.”

# INITIAL STUDY

## PROJECT TITLE

## LEAD AGENCY and CONTACT PERSON

City of Buellton Planning Department  
P.O. Box 1819  
Buellton, CA 93427  
*Contact:* Marc P. Bierdzinski, AICP, Planning Director  
(805) 688-7474

## PROJECT APPLICANT

## PROJECT SITE CHARACTERISTICS

### Location and Surrounding Land Uses:

### Existing General Plan Designation (Land Use Category):

## PROJECT DESCRIPTION

### Grading and Drainage

### Access and Parking

### Utilities

## PUBLIC AGENCIES WHOSE APPROVAL MAY BE REQUIRED FOR SUBSEQUENT ACTIONS (e.g. permits, financing approval, or participation agreement):

## REFERENCES

This Initial Study was prepared using the following information sources:

- Application Materials;
- Field Reconnaissance;
- Buellton General Plan;
- Buellton Municipal Code;
- Buellton Zoning Ordinance;
- General Plan EIR;
- Santa Barbara County Comprehensive Plan;
- Departmental and Public Agency Consultations

## ENVIRONMENTAL DETERMINATION

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Agriculture Resources	<input type="checkbox"/> Air Quality
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Geology / Soils
<input type="checkbox"/> Hazards & Hazardous Materials	<input type="checkbox"/> Hydrology / Water Quality	<input type="checkbox"/> Land Use / Planning
<input type="checkbox"/> Mineral Resources	<input type="checkbox"/> Noise	<input type="checkbox"/> Population / Housing
<input type="checkbox"/> Public Services	<input type="checkbox"/> Recreation	<input type="checkbox"/> Transportation/Traffic
<input type="checkbox"/> Utilities / Service Systems		

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project COULD have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the applicant. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

---

Marc P. Bierdzinski, AICP  
Environmental Officer  
City of Buellton

---

Date

## EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a Lead Agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Potentially Significant Unless Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). Earlier analyses and references are discussed at the end of the checklist.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) The analysis of each issue should identify:
  - a) the significance criteria or threshold used to evaluate each question; and
  - b) the mitigation measure identified, if any, to reduce the impact to less than significance

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
<b><i>I. AESTHETICS</i></b> - Would the project:				
a) Have a substantial adverse effect on a scenic vista?				
b) Damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				
c) Substantially degrade the existing visual character or quality of the site and its surroundings?				
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				

a. Scenic Vistas:

b. Scenic Resources/Highways:

c. Visual Quality:

d. Light and Glare:

**Findings and Mitigation:**

***Monitoring:***

Planning Department will verify inclusion of required mitigation measures. Building inspectors will verify compliance with approved plans.

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
<b><i>II. AGRICULTURE RESOURCES</i></b> - Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to nonagricultural use?				
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				

a. Designated Farmland:

b. Conflicts with Agricultural Designations:

c. Agricultural Conversion:

**Findings and Mitigation:**

***Monitoring:***

Planning Department will verify inclusion of required mitigation measures. Building inspectors will verify compliance with approved plans.

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>III. AIR QUALITY</b> - Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable Clean Air Plan?				
b) Violate any stationary source air quality standard or contribute to an existing or projected air quality violation?				
c) Result in a net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?				
d) Expose sensitive receptors to substantial pollutant concentrations?				
e) Create objectionable odors affecting a substantial number of people?				

a. Conflicts with Clean Air Plan:

b. Air Quality Standards:

*Operational Impacts:*

Table 1 summarizes the emissions from vehicular traffic associated with the proposed development.

**Table 1 Operational Air Emissions**

Emission Source	ROG (lbs/day)	NO <sub>x</sub> (lbs/day)	PM <sub>10</sub> (µg/m <sup>3</sup> )
Mobile (Primary Traffic)*			
<i>Exceeds County Threshold (25 lbs/day Vehicle)</i>			
Area Source Emissions (Unmitigated)			
<b>Total</b>			
<i>Exceeds County Threshold (240 lbs/day All Sources)</i>			

*Note: See Appendix A for calculations.*

*\*Unmitigated emissions generated from URBEMIS 2002 8.7.*

*There are no County APCD thresholds for PM<sub>10</sub>*

c. Criteria Pollutants:

d. Sensitive Receptors:

e. Odors:

**Findings and Mitigation:**

***Monitoring:***

Planning Department will verify inclusion of required mitigation measures. Building inspectors will verify compliance with approved plans.

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>IV. BIOLOGICAL RESOURCES</b> - Would the project:				
a) Have a substantial adverse impact, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				
b) Have a substantial adverse impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?				
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?				

a. Endangered, Rare or Threatened Species/Special Status Species:

b. Sensitive Natural Communities:

c. Wetland Habitat:

d. Wildlife Movement:

e. Local Ordinances:

f. Habitat Conservation Plans:

**Findings and Mitigation:**

**Monitoring:**

Planning Department will verify inclusion of required mitigation measures. Building inspectors will verify compliance with approved plans.

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>V. CULTURAL RESOURCES</b> - Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?				
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?				
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				
d) Disturb any human remains, including those interred outside of formal cemeteries?				

a. Historical Resources:

b. Archaeological Resources:

c. Paleontological Resources:

d. Human Remains:

**Findings and Mitigation:**

**Monitoring:**

Planning Department will verify inclusion of required mitigation measures. Building inspectors will verify compliance with approved plans.

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>VI. GEOLOGY AND SOILS</b> - Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?				
ii) Strong seismic ground shaking?				
iii) Inundation by seiche, tsunami, or mudflow?				
iv) Landslides?				
b) Result in substantial soil erosion or the loss of topsoil?				
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				

a. Geologic Hazards:

*Fault Rupture:* As described in the City General Plan EIR, there are no known active fault lines within the City. No impacts would result.

*Groundshaking:* The San Andreas Fault, located approximately 74 kilometers east Buellton, dominates both the geologic structure and seismicity of the project area. However, faults closer to the project site also have the potential to generate earthquakes and strong groundshaking at the site. These include: (1) the offshore group, including the Hosgri and Santa Lucia (Purisima and Lompoc) faults; and (2) the Santa Ynez Fault. In addition, the Los Alamos-Baseline-Lions and Casmalia-Orcutt-Little Pine faults may be active and pose potential to generate groundshaking at the project site.

The largest upper level earthquake (ULE) in Buellton would be an approximate 7.8 moment magnitude earthquake on the San Andreas Fault. Such an event could produce peak horizontal ground acceleration on the order of  $0.16g^1$ . Due to the relative location of the Los Alamos-Baseline (approximately 8 kilometers south), Santa Ynez (approximately 10 kilometers northeast), and North Channel Slope (approximately 25 kilometers east) faults to Buellton, higher ULE accelerations may be expected from these faults. Although higher accelerations may be experienced in Buellton from these faults, compared to events on the San Andreas Fault, the recurrence interval for such events is much longer than for an event on the active San Andreas Fault Zone. Seismic safety issues would be addressed through the Uniform Building Code (UBC) and implementation of the recommendations on foundation and structural design contained in the geotechnical investigation. UBC requirements may include the use of drilled pier foundations extending into bedrock, the use of tie beams between piers, and the use of shear walls. Less than significant impacts would result.

*Seismic Ground Failure:* Liquefaction is the phenomenon in which soil temporarily loses strength due to a buildup of excess pore-water pressure caused by seismic shaking. Liquefaction occurs in loose to medium dense saturated sand, typically within the upper 50 feet of the ground surface. According to the City of Buellton Department of Public Works, City Well No. 9 at 140 West Highway 246 has a depth to groundwater of 50 feet below ground surface (Bill Albrecht, 2006). Given the location of the well, the depth to groundwater is estimated at about 50 feet or less below surface elevation at the project site. A site-specific geotechnical report has not been completed, as of this date, for the subject property.

*Landsliding:* Slopes in the City are geologically stable and are not subject to major landslides. The project site is flat (0 to 2 percent slopes) and does not contain any known landslide areas. The site does not contain and is not located immediately adjacent to any hillsides that could pose a hazard to future site occupants due to landsliding. No impacts would result.

b. Erosion:

c. Unstable Soils:

d. Expansive Soils:

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<sup>1</sup> The force on a building during an earthquake is proportional to ground acceleration. Such forces are prescribed by the UBC. During an earthquake the ground acceleration varies with time. "g" is a common value of acceleration equal to 9.8 m/sec/sec (the acceleration due to gravity at the surface of the earth). 30% of g is the acceleration one would experience in a car that takes 9 seconds to brake from 60 miles per hour to a complete stop.

e. Suitability for Septic Systems: All project wastewater would be discharged to the City sewer system. No septic systems have been proposed. No impacts would result.

**Findings and Mitigation:**

**Monitoring:**

Planning Department will verify inclusion of required mitigation measures. Building inspectors will verify compliance with approved plans.

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>VII. HAZARDS AND HAZARDOUS MATERIALS -</b> Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				

a. Hazardous Substances:

b. Hazardous Materials Releases:

c. Hazardous Materials Near Schools:

d. Hazardous Materials Sites:

e. Public Airport Safety Hazards:

f. Private Airstrip Safety Hazards:

g. Emergency Response/Evacuation:

h. Wildland Fire Hazards:

**Findings and Mitigation:**

**Monitoring:**

Planning Department will verify inclusion of required mitigation measures. Building inspectors will verify compliance with approved plans.

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>VIII. HYDROLOGY AND WATER QUALITY -</b> Would the project:				
a) Violate Regional Water Quality Control Board water quality standards or waste discharge requirements?				
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (i.e., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?				
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?				
f) Otherwise substantially degrade water quality?				
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				
i) Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?				
j) Inundation by seiche, tsunami, or mudflow?				

a. RWQCB Standards:

b. Groundwater Supply:

c. Runoff/Erosion and Siltation:

d. Runoff/Flooding:

e. Stormwater Drainage System Capacity:

f. Substantially Degrade Water Quality:

g. Housing within Floodplains:

h. Flood Hazards:

i. Flooding and Dam Failure: The project site is not located in a dam failure inundation hazard area. No impacts would result.

j. Seiche, Tsunami, Volcano: The site is not located in the vicinity of any body of water that could result in a seiche or tsunami, and no volcanic activity occurs in the region. No impacts would result.

**Findings and Mitigation:**

**Monitoring:**

Planning Department will verify inclusion of required mitigation measures. Building inspectors will verify compliance with approved plans.

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
<b><i>IX. LAND USE AND PLANNING</i></b> - Would the project:				
a) Physically divide an established community?				
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the General Plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				
c) Conflict with any applicable habitat conservation plan or natural communities conservation plan?				

a. Physical Divisions of Established Communities:

b. Policy Consistency:

**Findings and Mitigation:**

**Monitoring:**

Planning Department will verify inclusion of required mitigation measures. Building inspectors will verify compliance with approved plans.

**GENERAL PLAN POLICY CONSISTENCY**

The consistency of the proposed project with the applicable General Plan policies is described in the paragraphs below.

**Table 2. Project Consistency With xx Zoning District Development Standards**

Development Feature	City Requirement	Proposed Feature	Project Consistency
Minimum Lot Area			Consistent/Inconsistent*
Residential Density			Consistent/Inconsistent*
Front Setback			Consistent/Inconsistent*
Side Setback			Consistent/Inconsistent*
Rear Setback			Consistent/Inconsistent*
Interior Setback			Consistent/Inconsistent*
Site Coverage			Consistent/Inconsistent*
Height Limits			Consistent/Inconsistent*
Parking			Consistent/Inconsistent*
<p>* The inconsistencies of the proposed project with specific xx zoning district development standards would require a discretionary modification of standards for the project. Following City approval of these modifications, the project would be consistent with applicable zoning district development standards.</p> <p><i>Source: City of Buellton Municipal Code, Title 19, Zoning, Section xxxxx</i></p>			

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>X. MINERAL RESOURCES</b> - Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				

a,b. Mineral Resources: The site does not support significant mineral resources, nor have any been identified in local plans or resource inventories. The proposed project would not result in impacts to mineral resources.

**Findings and Mitigation:**

**Monitoring:**

Planning Department will verify inclusion of required mitigation measures. Building inspectors will verify compliance with approved plans.

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
<b><i>XI. NOISE</i></b> - Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?				
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				
f) For a project within the vicinity of a private airstrip would the project expose people residing or working in the project area to excessive noise levels?				

a-d. Noise Level Increase:

e-f. Airport Noise:

**Findings and Mitigation:**

***Monitoring:***

Planning Department will verify inclusion of required mitigation measures. Building inspectors will verify compliance with approved plans.

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
<b><i>XII. POPULATION AND HOUSING</i></b> -- Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				

a. Population Growth:

b,c. Displacement:

**Findings and Mitigation:**

***Monitoring:***

Planning Department will verify inclusion of required mitigation measures. Building inspectors will verify compliance with approved plans.

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>XIII. PUBLIC SERVICES</b> - Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection?				
b) Police protection?				
c) Schools?				
d) Parks?				
e) Other public facilities?				

a. Fire Services:

b. Police Services:

c. School Services:

d. Parks:

e. Other Public Facilities:

**Findings and Mitigation:**

**Monitoring:**

Planning Department will verify inclusion of required mitigation measures. Building inspectors will verify compliance with approved plans.

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>XIV. RECREATION -</b>				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?				

a. Demand for Parks and Recreation:

b. Construction of Recreational Facilities:

**Findings and Mitigation:**

**Monitoring:**

Planning Department will verify inclusion of required mitigation measures. Building inspectors will verify compliance with approved plans.

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>XV. TRANSPORTATION/TRAFFIC</b> - Would the project:				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?				
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?				
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				
d) Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				
e) Result in inadequate emergency access?				
f) Result in inadequate parking capacity?				
g) Conflict with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				

a,b. Traffic Congestion:

c. Air Traffic:

d. Traffic Hazards:

e. Emergency Access:

f. Parking:

g. Alternative Transportation:

**Findings and Mitigation:**

**Monitoring:**

Planning Department will verify inclusion of required mitigation measures. Building inspectors will verify compliance with approved plans.

ISSUES:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
<b><i>XVI. UTILITIES AND SERVICE SYSTEMS -</i></b> Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				
g) Comply with federal, state, and local statutes and regulations related to solid waste?				

a. Wastewater Treatment Requirements:

b. Water and Wastewater Facility Construction:

c. Storm Drain Construction:

d. Water Supplies:

e. Wastewater Treatment Capacity:

f., g. Solid Waste:

**Findings and Mitigation:**

***Monitoring:***

Planning Department will verify inclusion of required mitigation measures. Building inspectors will verify compliance with approved plans.

<b>XVII. MANDATORY FINDINGS OF SIGNIFICANCE</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?				
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?				

a.

b.

c.



# **City of Buellton**

# **Environmental Procedures**

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**Appendix C**  
**Notice of Exemption Form**



## NOTICE OF EXEMPTION

**To:**  Office of Planning and Research  
P.O. Box 3044  
Sacramento, CA 95812

Clerk of the Board  
County of Santa Barbara  
105 East Anapamu Street, Rm 407  
Santa Barbara, CA 93101

**From:** City of Buellton  
Planning Department  
P.O. Box 1819  
Buellton, CA 93427

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### Project Title and File Numbers

City of Buellton

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### Public Agency Approving Project

Marc P. Bierdzinski, AICP, Planning Director, 805-688-7474

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### Lead Agency Contact Person and Telephone Number

City of Buellton, County of Santa Barbara

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### Project Location (including County)

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### Project Description

#### Exempt Status:

- Not a Project (CEQA Guidelines Section 15378(b))
- General Exemption (CEQA Guidelines Section 15061(b)(3))
- Emergency Project (CEQA Guidelines Sections 15269 and 15359)
- Ministerial Project (CEQA Guidelines Sections 15602(i), 155369(l), and 15268)
- Statutory Exemption, CEQA Guidelines Section \_\_\_\_\_
- Categorical Exemption, Class \_\_\_\_\_, CEQA Guidelines Section \_\_\_\_\_

#### Reason why project is exempt:

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Signature	Date	Planning Director Title
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# **City of Buellton**

# **Environmental Procedures**

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**Appendix D**  
**Applicant Agreement to Accept Mitigation Measures**

City of Buellton  
Project Applicant Acceptance of Mitigation Measures  
*[Insert Case Name & Number]*

The mitigation measures attached in the Initial Study/Mitigated Negative Declaration dated *[insert date]* have been agreed to in order to mitigate potentially significant adverse environmental impacts to insignificant levels. The signature below constitutes acceptance of these mitigation measures as part of the overall project description.

---

(Signature & Title of Agent, Owner, or Applicant)

(Date)



# **City of Buellton**

# **Environmental Procedures**

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**Appendix E**  
**Negative Declaration Form**



**CITY OF BUELLTON  
(MITIGATED) NEGATIVE DECLARATION**

The City of Buellton City Council/Planning Commission has found that the proposed project described below will not have a significant effect on the environment due to circumstances peculiar to the project.

Resolution No. \_\_\_\_\_ of the City Council/Planning Commission

**STATEMENT OF SUPPORT FOR (MITIGATED) NEGATIVE DECLARATION**

Information contained in Initial Study/Mitigated Negative Declaration (file #) indicates that there will be no significant adverse environmental impacts arising from the proposed project.

**Project Applicant:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Telephone Number:** \_\_\_\_\_

**Project Name:**

**Project Description:**

**Initial Study/Mitigated Negative Declaration Prepared By:** City of Buellton Planning Department/(Consultant Name, if applicable)

A copy of the environmental document is on file at the City of Buellton Planning Department, 107 West Highway 246, Buellton, CA 93427, where it may be viewed. Other addresses where copies of the environmental document are available are: City of Buellton City Hall, 107 West Highway 246, Buellton, CA 93427, and the Buellton Public Library, 140 West Highway 246, Buellton, CA 93427.

This (Mitigated) Negative Declaration was prepared in accordance with Sections 15070-15074 of the CEQA Guidelines for implementation of the California Environmental Quality Act of 1970.

<b>Signature</b>	<b>Date</b>	<b>Planning Director Title</b>
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# **City of Buellton**

# **Environmental Procedures**

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**Appendix F**  
**Notice of Availability Form**



**PUBLIC NOTICE OF AVAILABILITY OF ENVIRONMENTAL DOCUMENT  
DRAFT (MITIGATED) NEGATIVE DECLARATION  
CITY OF BUELLTON**

Notice is hereby given that a draft (Mitigated) Negative Declaration has been prepared for the below described project in accordance with the provisions of the California Environmental Quality Act of 1970, as set forth in the Public Resources Code, Sections 21000 to 21174, as amended. As a result of the project, the following significant, but mitigatable, impacts on the environment are anticipated in the areas of: \_\_\_\_\_

1. Environmental Document No:
2. Applicant:
3. Project Description:
  - A. Project Title:
  - B. Assessor's Parcel Numbers:
  - C. Location:
  - D. Project Description:

The draft (Mitigated) Negative Declaration and all documents referenced in the document may be reviewed at the City of Buellton Planning Department, 107 W. Highway 246, Buellton, CA 93427, Phone No. (805) 688-7474, FAX No. (805) 686-1729. Written comments on the draft (Mitigated) Negative Declaration will be accepted during the period from DATE1, through DATE2. Please submit comments on or before 5:00 p.m. on DATE2, the close of the public comment period. The project is tentatively scheduled for the xxxxx, 2006, Planning Commission public hearing.

Marc P. Bierdzinski  
Planning Director  
Newspaper Publish Date: DATE1



# **City of Buellton**

# **Environmental Procedures**

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**Appendix G**  
**Notice of Completion Form**

# Notice of Completion & Environmental Document Transmittal

Appendix C

Mail to: State Clearinghouse, P. O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613  
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH # \_\_\_\_\_

**Project Title:** \_\_\_\_\_

Lead Agency: \_\_\_\_\_ Contact Person: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Phone: \_\_\_\_\_

City: \_\_\_\_\_ Zip: \_\_\_\_\_ County: \_\_\_\_\_

## Project Location:

County: \_\_\_\_\_ City/Nearest Community: \_\_\_\_\_

Cross Streets: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Assessor's Parcel No.: \_\_\_\_\_ Section: \_\_\_\_\_ Twp.: \_\_\_\_\_ Range: \_\_\_\_\_ Base: \_\_\_\_\_

Within 2 Miles: State Hwy #: \_\_\_\_\_ Waterways: \_\_\_\_\_

Airports: \_\_\_\_\_ Railways: \_\_\_\_\_ Schools: \_\_\_\_\_

## Document Type:

- |                                      |  |                                    |  |
|--------------------------------------|--|------------------------------------|--|
| CEQA: <input type="checkbox"/> NOP   | <input type="checkbox"/> Draft EIR                 | NEPA: <input type="checkbox"/> NOI | Other: <input type="checkbox"/> Joint Document |
| <input type="checkbox"/> Early Cons  | <input type="checkbox"/> Supplement/Subsequent EIR | <input type="checkbox"/> EA        | <input type="checkbox"/> Final Document        |
| <input type="checkbox"/> Neg Dec     | (Prior SCH No.) _____                              | <input type="checkbox"/> Draft EIS | <input type="checkbox"/> Other _____           |
| <input type="checkbox"/> Mit Neg Dec | <input type="checkbox"/> Other _____               | <input type="checkbox"/> FONSI     |  |

## Local Action Type:

- |   |   |  |   |
|---|---|--|---|
| <input type="checkbox"/> General Plan Update    | <input type="checkbox"/> Specific Plan            | <input type="checkbox"/> Rezone                            | <input type="checkbox"/> Annexation     |
| <input type="checkbox"/> General Plan Amendment | <input type="checkbox"/> Master Plan              | <input type="checkbox"/> Prezone                           | <input type="checkbox"/> Redevelopment  |
| <input type="checkbox"/> General Plan Element   | <input type="checkbox"/> Planned Unit Development | <input type="checkbox"/> Use Permit                        | <input type="checkbox"/> Coastal Permit |
| <input type="checkbox"/> Community Plan         | <input type="checkbox"/> Site Plan                | <input type="checkbox"/> Land Division (Subdivision, etc.) | <input type="checkbox"/> Other _____    |

## Development Type:

- |   |   |
|---|---|
| <input type="checkbox"/> Residential: Units _____ Acres _____                 | <input type="checkbox"/> Water Facilities: Type _____ MGD _____ |
| <input type="checkbox"/> Office: Sq.ft. _____ Acres _____ Employees _____     | <input type="checkbox"/> Transportation: Type _____             |
| <input type="checkbox"/> Commercial: Sq.ft. _____ Acres _____ Employees _____ | <input type="checkbox"/> Mining: Mineral _____                  |
| <input type="checkbox"/> Industrial: Sq.ft. _____ Acres _____ Employees _____ | <input type="checkbox"/> Power: Type _____ MW _____             |
| <input type="checkbox"/> Educational _____                                    | <input type="checkbox"/> Waste Treatment: Type _____ MGD _____  |
| <input type="checkbox"/> Recreational _____                                   | <input type="checkbox"/> Hazardous Waste: Type _____            |
| <b>Total Acres (approx.)</b> _____  | <input type="checkbox"/> Other: _____                           |

## Project Issues Discussed in Document:

- |   |   |  |   |
|---|---|--|---|
| <input type="checkbox"/> Aesthetic/Visual         | <input type="checkbox"/> Fiscal                     | <input type="checkbox"/> Recreation/Parks                | <input type="checkbox"/> Vegetation               |
| <input type="checkbox"/> Agricultural Land        | <input type="checkbox"/> Flood Plain/Flooding       | <input type="checkbox"/> Schools/Universities            | <input type="checkbox"/> Water Quality            |
| <input type="checkbox"/> Air Quality              | <input type="checkbox"/> Forest Land/Fire Hazard    | <input type="checkbox"/> Septic Systems                  | <input type="checkbox"/> Water Supply/Groundwater |
| <input type="checkbox"/> Archeological/Historical | <input type="checkbox"/> Geologic/Seismic           | <input type="checkbox"/> Sewer Capacity                  | <input type="checkbox"/> Wetland/Riparian         |
| <input type="checkbox"/> Biological Resources     | <input type="checkbox"/> Minerals                   | <input type="checkbox"/> Soil Erosion/Compaction/Grading | <input type="checkbox"/> Wildlife                 |
| <input type="checkbox"/> Coastal Zone             | <input type="checkbox"/> Noise                      | <input type="checkbox"/> Solid Waste                     | <input type="checkbox"/> Growth Inducing          |
| <input type="checkbox"/> Drainage/Absorption      | <input type="checkbox"/> Population/Housing Balance | <input type="checkbox"/> Toxic/Hazardous                 | <input type="checkbox"/> Land Use                 |
| <input type="checkbox"/> Economic/Jobs            | <input type="checkbox"/> Public Services/Facilities | <input type="checkbox"/> Traffic/Circulation             | <input type="checkbox"/> Cumulative Effects       |
|   |   |  | <input type="checkbox"/> Other _____              |

## Present Land Use/Zoning/General Plan Designation:

**Project Description:** (please use a separate page if necessary)

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Revised 2004

# Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X".  
If you have already sent your document to the agency please denote that with an "S".

- |   |   |
|---|---|
| <input type="checkbox"/> Air Resources Board                    | <input type="checkbox"/> Office of Historic Preservation                      |
| <input type="checkbox"/> Boating & Waterways, Department of     | <input type="checkbox"/> Office of Public School Construction                 |
| <input type="checkbox"/> California Highway Patrol              | <input type="checkbox"/> Parks & Recreation                                   |
| <input type="checkbox"/> Caltrans District # _____              | <input type="checkbox"/> Pesticide Regulation, Department of                  |
| <input type="checkbox"/> Caltrans Division of Aeronautics       | <input type="checkbox"/> Public Utilities Commission                          |
| <input type="checkbox"/> Caltrans Planning (Headquarters)       | <input type="checkbox"/> Reclamation Board                                    |
| <input type="checkbox"/> Coachella Valley Mountains Conservancy | <input type="checkbox"/> Regional WQCB # _____                                |
| <input type="checkbox"/> Coastal Commission                     | <input type="checkbox"/> Resources Agency                                     |
| <input type="checkbox"/> Colorado River Board                   | <input type="checkbox"/> S.F. Bay Conservation & Development Commission       |
| <input type="checkbox"/> Conservation, Department of            | <input type="checkbox"/> San Gabriel & Lower L.A. Rivers and Mtns Conservancy |
| <input type="checkbox"/> Corrections, Department of             | <input type="checkbox"/> San Joaquin River Conservancy                        |
| <input type="checkbox"/> Delta Protection Commission            | <input type="checkbox"/> Santa Monica Mountains Conservancy                   |
| <input type="checkbox"/> Education, Department of               | <input type="checkbox"/> State Lands Commission                               |
| <input type="checkbox"/> Energy Commission                      | <input type="checkbox"/> SWRCB: Clean Water Grants                            |
| <input type="checkbox"/> Fish & Game Region # _____             | <input type="checkbox"/> SWRCB: Water Quality                                 |
| <input type="checkbox"/> Food & Agriculture, Department of      | <input type="checkbox"/> SWRCB: Water Rights                                  |
| <input type="checkbox"/> Forestry & Fire Protection             | <input type="checkbox"/> Tahoe Regional Planning Agency                       |
| <input type="checkbox"/> General Services, Department of        | <input type="checkbox"/> Toxic Substances Control, Department of              |
| <input type="checkbox"/> Health Services, Department of         | <input type="checkbox"/> Water Resources, Department of                       |
| <input type="checkbox"/> Housing & Community Development        | <input type="checkbox"/> Other _____  |
| <input type="checkbox"/> Integrated Waste Management Board      | <input type="checkbox"/> Other _____  |
| <input type="checkbox"/> Native American Heritage Commission    |   |
| <input type="checkbox"/> Office of Emergency Services           |   |

---

### Local Public Review Period (to be filled in by lead agency)

Starting Date \_\_\_\_\_ Ending Date \_\_\_\_\_

---

### Lead Agency (Complete if applicable):

Consulting Firm: _____	Applicant: _____
Address: _____	Address: _____
City/State/Zip: _____	City/State/Zip: _____
Contact: _____	Phone: _____
Phone: _____	

---

Signature of Lead Agency Representative: \_\_\_\_\_ Date: \_\_\_\_\_



# **City of Buellton**

# **Environmental Procedures**

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**Appendix H**  
**Notice of Determination Form**



# NOTICE OF DETERMINATION

**To:**  Office of Planning and Research  
P.O. Box 3044  
Sacramento, CA 95812

Clerk of the Board  
County of Santa Barbara  
105 East Anapamu Street, RM 407  
Santa Barbara, CA 93101

**From:** City of Buellton  
Planning Department  
P.O. Box 1819  
Buellton, CA 93427

**Subject:** Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

### Project Title and File Numbers

### State Clearinghouse Number (if applicable)

Marc P. Bierdzinski, AICP, Planning Director, 805-688-7474

### Lead Agency Contact Person and Telephone Number

City of Buellton, County of Santa Barbara

### Project Location (including County)

### Project Description

This is to advise that the City of Buellton as the Lead Agency has approved the above described project on \_\_\_\_\_ and has made the following determinations regarding the project:

1. The project will  will not  have a significant effect on the environment.
2.  An environmental impact report was prepared for this project pursuant to the provisions of CEQA.  
 A negative/mitigated negative declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures were  were not  made conditions of approval of the project.
4. A statement of overriding considerations was  was not  adopted for this project.
5. Findings were  were not  made pursuant to the provisions of CEQA.

This is to certify that the negative declaration/mitigated negative declaration/EIR and record of project approval is available to the general public at: City of Buellton Planning Department, 107 West Highway 246, Buellton, CA 93427.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Planning Director  
Title



# **City of Buellton**

# **Environmental Procedures**

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**Appendix I**  
**De Minimis Impact Form**



**CITY OF BUELLTON  
CALIFORNIA DEPARTMENT OF FISH AND GAME  
CERTIFICATE OF FEE EXEMPTION**

**De Minimis Impact Finding**

**Project Title and Location (including County)**

City of Buellton, County of Santa Barbara

**Project Description:**

**Findings of Exemption:**

Based on the results and conclusions of the environmental document, no significant animals, plants, or habitats exist on the project site. Therefore, this project will not have an adverse impact on wildlife resources.

**Certification:**

I hereby certify that the City of Buellton has made the above finding and that the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

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**Signature**

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**Date**

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**Planning Director  
Title**



# **City of Buellton**

# **Environmental Procedures**

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**Appendix J**  
**Notice of Preparation Format**



## City of Buellton Planning Department

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### **Notice of Preparation of an Environmental Impact Report for (Project Name) Buellton, California**

**Lead Agency:**

City of Buellton  
Planning Department  
P.O. Box 1819  
Buellton, CA 93427

**Consulting Firm:**

.

*Contact:*

Marc Bierdzinski, AICP  
Planning Director

*Contact:*

**Summary:** The City of Buellton will prepare an Environmental Impact Report (EIR) for *(project name)*. We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by our agency when considering your permit or other approval for the project. The EIR is intended to serve as an informational document to inform decision-makers and the general public of the environmental consequences of the proposed action.

Due to the time limits mandated by State law, your response to this notice must be sent at the earliest possible date but ***not later than 30 days from receipt of this notice***. Please send your response to the City of Buellton at the address shown above. We will need the name for a contact person in your agency.

A copy of the Initial Study *is/is not* attached.

**Project Title:**

**Project Location:**

**Project Description:**

**Potential Environmental Effects:** Key issues that the EIR will address include:

**Scoping Meeting (if applicable):** The public is encouraged to attend the upcoming scoping meeting for this project, the purpose of which will be to:

- Discuss the environmental documentation process;
- Present key characteristics of the proposed project;

- Take public input about the scope of environmental issues to be analyzed in the EIR; and
- Discuss the timing for public input into the EIR process.

The scoping meeting will be held at Buellton City Council Chambers, (*date and time*). We hope you can attend this meeting, and encourage written comments (mail to the address noted on the first page). If you cannot attend this meeting, you will still have the opportunity to voice your concerns about the project at a future public hearing. If you have any questions regarding this project or the upcoming scoping meeting, please contact Marc Bierdzinski, Planning Director at the City of Buellton (805-688-7474).

**Prepared By:**

Marc P. Bierdzinski, AICP  
Planning Director  
City of Buellton

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Signature

Date



# **City of Buellton**

# **Environmental Procedures**

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**Appendix K**  
**Notification List for Environmental Documents**

# Notification List for Environmental Documents

## **Federal**

U.S. Army Corps of Engineers  
Ventura Field Office  
2151 Alessandro Drive, STE 255  
Ventura, CA 93001

U.S. Fish and Wildlife Service  
2493 Portola Road, #B  
Ventura, CA 93003

USDA  
Natural Resource Conservation Service  
920 East Stowell Road  
Santa Maria, CA 93454

## **State of California**

Office of Planning and Research  
State Clearinghouse  
P.O. Box 3044  
Sacramento, CA 95812

California Department of Fish and Game, South Coast Region  
1933 Cliff Drive, Suite 9  
Santa Barbara, CA 93109

California Regional Water Quality Control Board, Central Coast Region  
81 Higuera Street, STE 200  
San Luis Obispo, CA 93401

Caltrans, District 5  
50 Higuera Street  
San Luis Obispo, CA 93401

California Native American Heritage Commission  
915 Capital Mall, Room 364  
Sacramento, CA 95814

## **County of Santa Barbara**

County of Santa Barbara Air Pollution Control District  
Attn: Vijaya Jammalamdaka, AICP  
260 N San Antonio Rd, Suite A  
Santa Barbara, CA 93110-1315

Santa Barbara County Association of Governments  
Attn: Michael Powers, AICP  
260 North San Antonio Road, Suite B  
Santa Barbara, CA 93101

County of Santa Barbara, Planning and Development Department  
624 West Foster Road  
Santa Maria, CA 93455

Santa Barbara County Clerk of the Board  
105 East Anapamu Street, RM 407  
Santa Barbara, CA 93101

Santa Barbara County Flood Control District  
Attn: Tom Fayram  
123 East Anapamu Street  
Santa Barbara, CA 93101

Santa Barbara County Fire Department  
4410 Cathedral Oaks Road  
Santa Barbara, CA 93110

Santa Barbara County Public Works Department  
123 East Anapamu Street  
Santa Barbara, CA 93101

Brooks Firestone  
3<sup>rd</sup> District Supervisor  
105 East Anapamu Street  
Santa Barbara, CA 93101

LAFCO  
Attn: Bob Braitman  
105 East Anapamu Street, RM 406  
Santa Barbara, CA 93101

### **Local Governments**

Shelley Stahl, Planning Director  
City of Solvang  
411 Second Street  
Solvang, CA 93464

### **School Districts**

Buellton Union School District  
301 Second Street  
Buellton, CA 93427

Santa Ynez Valley High School District  
P.O. Box 398  
Santa Ynez, CA 93460

### **Special Districts**

Santa Ynez Valley Transit  
1644 Oak Street #203  
Solvang, CA 93463

Health Sanitation Service  
1850 West Betteravia Road  
Santa Maria, CA 93455

Santa Barbara Metropolitan Transportation District  
550 Olive Street  
Santa Barbara, CA 93101

Verizon  
1223 West Fairway  
Santa Maria, CA 93455

The Gas Company  
P.O. Box 818  
Goleta, CA 93116

PG&E  
2445 Skyway Drive  
Santa Maria, CA 93455

Comcast  
2323 Thompson Way  
Santa Maria, CA 93455

Santa Ynez Band of Mission Indians  
P.O. Box 517  
Santa Ynez, CA 93460

### **Local Groups/Individuals**

Buellton Chamber of Commerce  
376 Avenue of the Flags  
Buellton, CA 93427

Ilene J. Jacobs  
Director of Litigation, Advocacy & Training  
California Rural Legal Assistance, Inc.  
631 Howard Street, Suite 300  
San Francisco, CA 94105

Women's Environmental Watch  
P.O. Box 830  
Solvang, CA 93464

Santa Ynez Valley People Helping People  
P.O. Box 1478  
Solvang, CA 93464

### **City Departments/Contractors**

Steve Thompson, City Manager

Bill Albrecht, Public Works Director

Kathy Wollin, Finance Director

Kyle Abello, Parks and Recreation Coordinator

Don Kircher, City Attorney

MNS Engineers/City Engineer  
Attn: Jeff Edwards  
201 Industrial Way  
Buellton, CA 93427

Lt. Leland Bentley  
SB County Sheriff's Department  
140 West Highway 246  
Buellton, CA 93427

Associated Transportation Engineers/Traffic Consultant  
Richard Pool  
100 North Hope Avenue, STE 4  
Santa Barbara, CA 93110



# **City of Buellton**

# **Environmental Procedures**

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**Appendix L**  
**Request for Proposal Process**

## **City of Buellton Request for Proposal (RFP) Process for Preparation of an EIR**

1. The Environmental Officer shall maintain a current list of private consultants qualified to prepare EIRs under contract to the City. This list is updated periodically.
2. The RFP process to select a consultant to prepare an EIR shall be requested by the project proponent if they do not desire to use the City's environmental consultant under a sole source contract. The RFP will be developed by the Environmental Officer and sent to a minimum of three private consultants on the current qualified list. The RFP shall contain the following information:
  - A. A complete description of the project.
  - B. A detailed description of what shall be included in the EIR.
  - C. The deadline date for submitting a proposal.
  - D. A copy of the initial study and notice of preparation.
3. Proposals submitted by private consultant in response to the RFP shall include, at minimum, the following sections:
  - A. A detailed scope of work.
  - B. A time schedule for completing each portion of the EIR.
  - C. A cost estimate to complete the project, including a 15% contingency amount.
4. After receipt of all proposals, the Environmental Officer, after consultation with the project proponent, shall select the proposal which the Environmental Officer believes will produce the highest quality EIR for the project. The Environmental Officer will send a letter notifying the project proponent of the City's selection and asking for a deposit to cover the costs of preparing the EIR as specified in the selected proposal.
5. Once the project proponent submits the required deposit to cover the cost of the EIR preparation, the Environmental Officer will have the contract with the selected consultant approved by the City Council, and then the contract will be signed and executed by all parties. Said contract shall be in the City's standard format for contracts. Once the contract has been signed by all parties, work on the EIR shall commence.



# **City of Buellton**

# **Environmental Procedures**

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**Appendix M**  
**Notice of Completion Legal Ad**



**NOTICE OF COMPLETION OF A  
DRAFT ENVIRONMENTAL IMPACT REPORT IN THE  
CITY OF BUELLTON FOR THE (*PROJECT NAME*)**

Notice is hereby given that a draft Environmental Impact Report (EIR) has been prepared for the below described project in accordance with the provisions of the California Environmental Quality Act of 1970, as set forth in the Public Resources Code, Sections 21000 to 21174, as amended. The EIR analyzes the environmental impacts resulting from the project in the following areas: (*list impact categories*). Alternatives to the project are also included in the EIR.

1. Environmental Document No:
2. Applicant:
3. Project Description:
  - A. Project Title:
  - B. Assessor's Parcel Numbers:
  - C. Location:
  - D. Project Description:

The draft EIR and all documents referenced in the draft EIR may be reviewed at the City of Buellton Planning Department, 107 W. Highway 246, Buellton, CA 93427, Phone No. (805) 688-7474, FAX No. (805) 686-1729. The draft EIR is also available for review at the Buellton Library, 140 West Highway 246, Buellton, CA 93427.

Written comments on the draft EIR will be accepted during the period from DATE1 through DATE2 (45 day minimum). Please submit comments on or before 5:00 p.m. on DATE2, the close of the public comment period.

Marc P. Bierdzinski  
Planning Director  
Newspaper Publish Date: DATE1



# **City of Buellton**

# **Environmental Procedures**

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**Appendix N**  
**Mitigation Monitoring Form**



**City of Buellton  
Environmental Mitigation Monitoring Program**

**Project Name and File#:**

**Approval Date:**

**Environmental Document:** EIR or Mitigated Negative Declaration

The following environmental mitigation measures were incorporated into the conditions of approval for this project in order to mitigate identified environmental impacts to a level of insignificance. A completed and signed checklist for each mitigation measure indicates that the mitigation measure has been implemented, and fulfills the City's monitoring requirements.

**1. (Mitigation Measure)**

Type: Project/Ongoing/Cumulative

Monitoring Agency: City of Buellton or other agency

Shown on Plans: Date: \_\_\_\_\_ Initials: \_\_\_\_\_

Verified Implementation: \_\_\_\_\_

Remarks: \_\_\_\_\_

**2. (Mitigation Measure)**

Type: Project/Ongoing/Cumulative

Monitoring Agency: City of Buellton or other agency

Shown on Plans: Date: \_\_\_\_\_ Initials: \_\_\_\_\_

Verified Implementation: \_\_\_\_\_

Remarks: \_\_\_\_\_