

MINUTE ITEM

This Calendar Item No. 8
was approved as Minute Item
8 by the State Lands
Commission by a vote of 3
to 0 at its 3-19-80
meeting.

MINUTE ITEM

3/19/80
Louie
W 21979
PRC 5809.9

8. GENERAL PERMIT, PROTECTIVE STRUCTURE; EUGENE J. AND
JOYCE R. FLYNN.

Calendar Item 08 was removed from the Consent Calendar
and considered during the regular agenda.

Mr. James F. Trout, Assistant Executive Officer, referred
for the record to a letter to the State Lands Commission
dated March 17, 1980 from Mr. Michael David Cox, representing
the following organizations:

1. Environmental Defense Center
2. South Central Coast Watch
3. Scenic Shoreline Preservation Conference
4. Santa Barbara Friends of the Earth

In his letter, Mr. Cox objected to the subject permit and
suggested a better alternative for the existing residence.
However, the applicant has indicated this alternative would
not be feasible because of existing setbacks and high cost.
In addition, Mr. Cox contends in his letter that the applicant
should be charged a rental fee. The staff is of the opinion
that by constructing the bluff protection, the erosion
will be reduced and public benefit will be derived; therefore
a rental charge should not be required.

Mr. Trout pointed out 1) a Negative Declaration was circulated
in Santa Barbara County and to the appropriate agencies;
2) the matter was heard before the Regional Coastal Commission
and appealed to the State Coastal Commission; and 3) both
Coastal Commissions have granted their approvals subject
to certain specified conditions as enumerated in the calendar
item.

Mr. Eugene Flynn, the applicant, appeared and urged since
all the requisite agencies have approved his permit, that
this Commission likewise approve it.

Upon motion duly made and carried, the resolution as presented
in Calendar Item 8 attached was approved by a vote of 3-0.

Attachment: Calendar Item 8.

A 35

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CALENDAR ITEM

C8.

3/80
W 21979
Louie
PRC 5809.9

GENERAL PERMIT
PROTECTIVE STRUCTURE

APPLICANT: Eugene J. and Joyce R. Flynn
5297 Austin Road
Santa Barbara, California 93111

AREA, TYPE LAND AND LOCATION:
0.02 acre, or lesser area as may be determined
by the State Coastal Commission, of tide
and submerged land in Santa Barbara Channel,
Santa Barbara, Santa Barbara County.

LAND USE: Bluff protection.

TERMS OF PROPOSED PERMIT:
Initial period: 15 years and 12 days
from March 20, 1980.

CONSIDERATION: No monetary consideration required, public
benefit will accrue, with the State reserving
the right at any time to set a monetary
rental if the Commission finds such action
to be in the State's best interest.

PREREQUISITE TERMS, FEES AND EXPENSES:
Applicant is owner of upland.

Filing fee and processing costs have been
received.

STATUTORY AND OTHER REFERENCES:
A. P.R.C.: Div. 6, Parts 1 & 2.
B. Cal. Adm. Code: Title 2, Div. 3.

OTHER PERTINENT INFORMATION:
1. The annual rental value of the site
is estimated to be \$500.

A 35

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CALENDAR ITEM NO. 28, (CONTD)

2. Staff believes that the construction of bluff protection at this location will be of mutual benefit to both applicant and the public. Applicant's upland home site will be protected from erosion and the public using the beach below will gain the benefit of protection from falling debris caused by erosion of upper bluff.
3. A Negative Declaration was prepared by the County of Santa Barbara, pursuant to CEQA and implementing regulations. A Notice of Determination has been received.
4. This project is situated on State land identified as possessing significant environmental values pursuant to P.R.C. 6370.1, and is classified in a use category, Class B, which authorizes Limited Use.

Staff has coordinated this project with those agencies and organizations who nominated the site as containing significant environmental values. They have found this project to be compatible with their nomination.

5. This project has been approved with conditions by the State Coastal Commission. Final issuance of permit is subject to the fulfillment of certain conditions as specified by the Coastal Commission. Those conditions are:
 1. Applicant must record a 21-year irrevocable offer to dedicate to a public agency or private association, an easement for public access and recreational use along the front of the property from the toe of structure or bluff to the mean high tide line. Such recording must be free of prior liens except tax liens.

CALENDAR ITEM NO. C8. (CONTD)

2. Applicant must record a deed restriction stating that the public has the right to use the revetment for lateral access to adjoining beach areas.
3. Applicant must enter into an agreement with Coastal Commission assuring proper maintenance of permitted facilities, or remove at request of Commission. Said agreement to be recorded.
4. Applicant agrees, if required by the Coastal Commission, to replace any beach sand that is measurably lost due to his facilities. This agreement must be recorded as a covenant for the people of the State.
5. Applicant must revise existing plans to:
 - a. Reduce size of revetment to cover less beach area and preserve lateral beach view.
 - b. Revetment must contain steps on each end, and a walking surface to allow foot traffic.
 - c. The revetment concrete and exterior shall be colored to match the native bluff material.
6. Applicant must record a deed restriction, free of prior liens except tax liens saving the State harmless from any and all liability claims due to hazards from storm waves, erosion and landslides, and further that applicant waives eligibility for public disaster funds or loans for repair in the event of storms or landslides.

CALENDAR ITEM NO. C8. (CONTD)

APPROVALS OBTAINED:

County of Santa Barbara, State Coastal
Commission (approval with conditions).

EXHIBITS:

A. Land Description. B. Location Map.
C. Negative Declaration 79-ND-70.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN EIR HAS NOT BEEN PREPARED FOR THIS PROJECT BUT THAT A NEGATIVE DECLARATION HAS BEEN PREPARED BY COUNTY OF SANTA BARBARA, ON MAY 21, 1979.
2. CERTIFY THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED IN THE NEGATIVE DECLARATION.
3. DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
4. DETERMINE THAT THE PROJECT IS CONSISTENT WITH THE PROVISIONS OF ARTICLE 6.5, OF TITLE 2, OF THE CAL. ADM. CODE.
5. FIND THAT GRANTING OF THE PERMIT WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE P.R.C.
6. AUTHORIZE ISSUANCE TO EUGENE J. FLYNN AND JOYCE R. FLYNN OF A 15-YEAR AND 12-DAY GENERAL PERMIT - PROTECTIVE STRUCTURE FROM MARCH 20, 1980; IN CONSIDERATION OF THE PUBLIC BENEFIT, WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENTAL IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST; FOR THE CONSTRUCTION AND MAINTENANCE OF A PROTECTIVE SEAWALL STRUCTURE ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF. SAID PERMIT TO BE SUBJECT TO TERMS AND CONDITIONS OF THE FINAL COASTAL COMMISSION PERMIT.

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| ORIGINAL NO. | 481 |

EXISTING RESIDENCE

DRAINAGE SYSTEM

RETAINING WALL

EDGE OF BLUFF

RETAINMENT

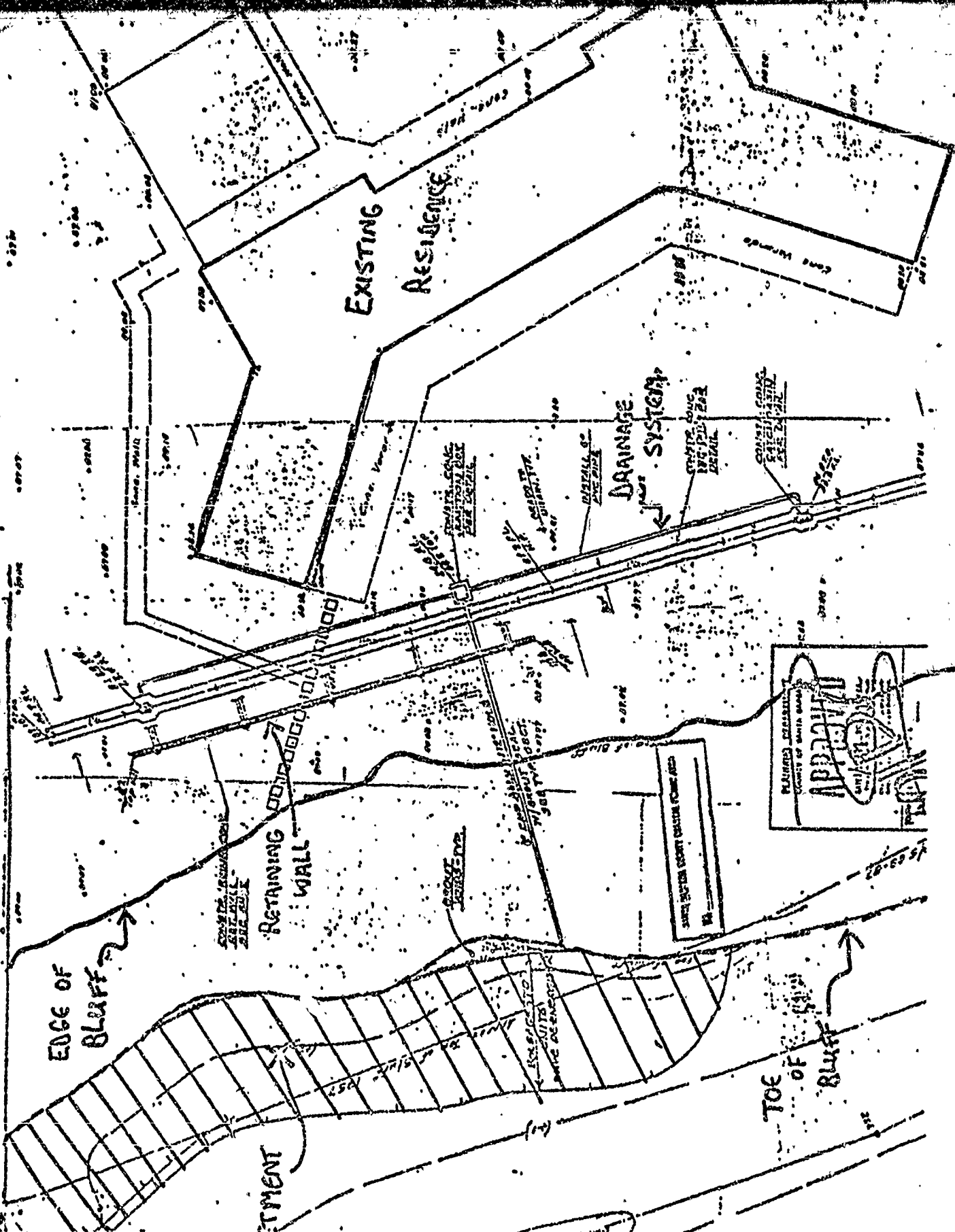
TOE OF BLUFF



NEAR LIGHT TOWER

EXHIBIT "A"
N 21979 038
482

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MAY 1978



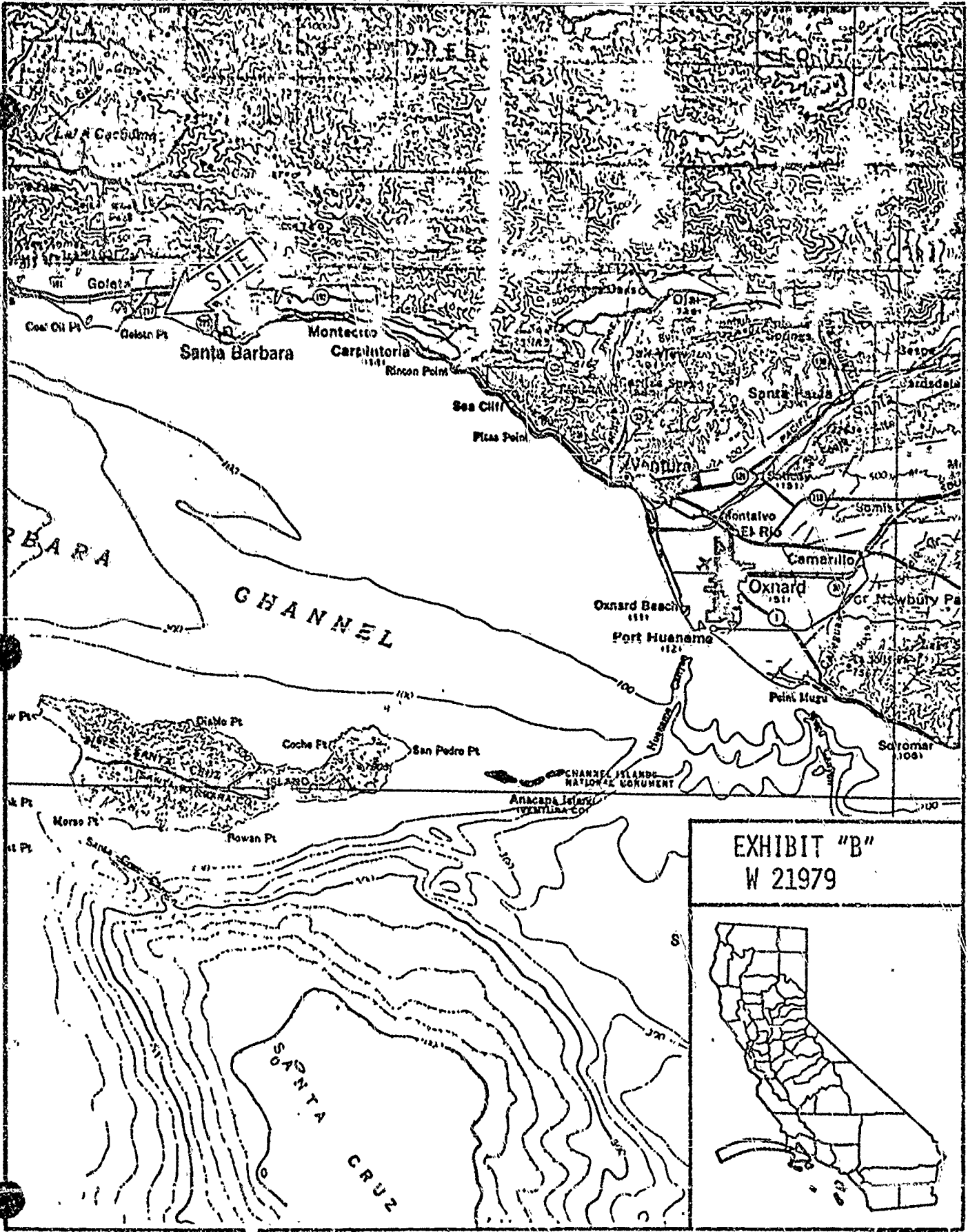


EXHIBIT "B"
W 21979

The inset map shows the state of California with a grid. A shaded rectangular area in the central coastal region indicates the geographic location of the main topographic map.

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DEPARTMENT OF ENVIRONMENTAL RESOURCES
PROPOSED NEGATIVE DECLARATION

NEGATIVE DECLARATION: 79-ND-70

May 21, 1979

The Department of Environmental Resources (DER) has prepared this Negative Declaration (ND) pursuant to Section 15093 of the State Guidelines for the implementation of the California Environmental Quality Act and the County of Santa Barbara Environmental Guidelines. An ND is a written document which briefly describes the potential adverse impacts of a proposed project and why those impacts will not have a significant effect on the physical environment. The finding of a Negative Declaration indicates there are no significantly adverse impacts associated with the proposed project and therefore it does not require the preparation of an Environmental Impact Report (EIR).

INITIAL STUDY SUMMARY: The staff of the DER has determined that there are no potentially significant adverse environmental impacts associated with the project as proposed. The areas listed below were analyzed in the initial study. Background information is kept on file in the DER office and is a part of these findings.

| | | | | | |
|-----------|-------|-------------|-------|----------|-------|
| Water | _____ | Geology | xx | Land Use | _____ |
| Soils | xx | Cultural | _____ | Traffic | _____ |
| Flora | _____ | Resources | _____ | Health & | _____ |
| Fauna | _____ | Air Quality | _____ | Safety | xx |
| Fire | _____ | Noise | _____ | Energy | _____ |
| Community | _____ | Aesthetics | xx | | |
| Services | _____ | | | | |

The checks indicate areas of potential impacts which were further reviewed and are summarized in the project review/finding section.

LEAD DEPARTMENT AND CASE NUMBER: Planning, 79-Major Project-4

APPLICANT: Eugene J. and Joyce R. Flynn, 5297 Austin Road, Santa Barbara, CA 93111

PROJECT LOCATION AND SUPERVISORIAL DISTRICT: The project is located on the sand beach and bluff top at 5297 Austin Road, Santa Barbara, in the Third Supervisorial District.

GENERAL PLAN AND ZONING DESIGNATIONS: The General Plan designation is Residential, 20,000 or more square feet per unit, and the zoning designation is 20-R-1.

ASSESSOR'S PARCEL NUMBER AND TOTAL ACREAGE: 65-310-26, 1/2 acre.

PROJECT DESCRIPTION: A 120 foot long by 20 wide by 10 foot high "bolsacreto" seawall on the beach, a 65 foot long by 6 foot deep beried retaining wall and 150 feet long exposed concrete lined drain on bluff top. From a catch basin on the blufftop a 6" galvanized pipe would be drilled down through the bluff, discharging collected runoff at the top of the seawall approximately 10 feet above the beach.

PROJECT REVIEW/FINDING OF NO SIGNIFICANT IMPACT:

Health & Safety: The west wing of the Flynn residence is presently approximately 25 feet from the top of an 80-90 foot high oceanfront cliff top. This cliff has been eroding at an average rate of about 20 inches per year since 1958 (Robert d. Morris, Registered Geologist, January 5, 1979 report). Although the proposed project would not halt this cliff retreat, it is expected to slow the erosion process thus extending the life of the Flynn residence. The project would have a beneficial effect on the safety of the residents of the Flynn home.

Geology/Soils: The upper portion of the cliff is composed of very weakly consolidated marine and non-marine terrace deposits covered with a soil chiefly of wind blown origin. Below the terrace is a nearly vertical cliff cut in a soft silt stone bedrock variously

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assigned to the Pico or Santa Barbara formations. This bedrock is nearly flat lying and occurs in thick massive beds.

Erosion occurs as waves notch into the base of the bluff and overhanging material falls onto the beach. Rainwater also percolates downward into vertical joints or cracks in the Pico (Santa Barbara) formation causing massive slabs to peel off the cliff face. The terrace material of the upper cliff also erodes with wind and rain, collapsing in large sections and sliding onto the beach below. The three sources of bluff retreat account for the different aspects of the proposed project.

The "bolsacreto" seawall will halt wave notching at the base of the cliff.

The bolsacreto wall consists of very large bags filled with mortar or fine grained concrete. Because the bags are heavy they resist large wave forces well, even when laid up to make fairly steep seaward slopes. They are easily walked on and over because their placement creates a step like slope of smoothly rounded forms. There are virtually no open voids between bags so no trapping of rottable debris occurs in the mass. Because the seaward face is a step slope waves spend much of their energy running up the steps and reflection of energy back toward the beach is minimal. A very important aspect of the large bag structures is the neatness of the procedures for their construction. Once the empty bags are dropped to the site and a small rubber tire tractor with backhoe attachment has removed a groove of sand where the first line of bags is to be laid and filled at the seaward edge of the structure nothing more is needed on the beach than a few workmen and a hose. The hose conveys the wet mortar from a truck on the street above the bluff to the interior of each empty bag where it lies spread in its intended permanent position as part of the structure. (Omar J. Lillevang, Consulting Engineer, December 26, 1978).

The "no project alternative" would result in loss of at least a portion of the Flynn residence within a few years. An "alternative," a vertical wooden seawall, was rejected because it would simply reflect wave energy resulting in scouring of the beach and loss of beach sand. The bolsacreto wall will have a beneficial effect in stabilizing the toe of the bluff.

The bluff top drainage system will collect water and discharge it through a pipe drilled through the bedrock onto the beach at the base of the bluff. This system will reduce percolation and subsequent slab failure of the bluff face. It will also reduce the rate of erosion of the upper terrace materials. If the drainage channel emptied onto the street (no curbs, gutters, and storm drains) water would flow onto adjacent properties, percolate into the ground, and aggravate bluff failure. If water were discharged over the cliff top it would frequently be blown against the cliff as a spray, again contributing to bluff erosion. Drains of this sort are usually accompanied by increased rates of erosion in their immediate vicinity. The concrete retaining wall is 60 feet high, 60 feet long, caisson supported and constructed so as to be mainly or entirely below ground surface. It will be useful only when cliff retreat exposes it. However, once it is exposed erosional processes will tend to undermine it and to expose the ends because it is not proposed to extend it completely through the soft terrace deposits into the somewhat more resistant Pico (Santa Barbara) formation below. The caisson supports should keep the wall in place for a good many years but the difficulty will be in preventing erosion of the surrounding materials once cliff retreat exposes any part of the wall. To the extent that this can be accomplished the retaining wall will protect the corner of the house for some years. It is anticipated that cliff retreat will begin to expose some parts of the wall in from 4-10 years time.

Actual construction of the retaining wall involves some appreciable geological risk. Cutting a trench and compacting the backfill after the wall has been built will both tend to destroy what limited integrity the weak terrace deposits currently possess. Furthermore, compaction if not very carefully done could exert dangerous outward forces on the bluff top. Although the equipment required to dig the trench and to bore the holes for the caissons and

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holes for the caissons and drainage system is not excessively heavy there remains some risk in working so close to the edge of an unstable nearly vertical cliff formed in weak rocks, even with relatively light machines. It is also dangerous to bring a transit-mix truck loaded with concrete very close to the trench. Any of these activities might trigger new slab failure along hidden fractures or joints in the Pico (Santa Barbara) bedrock.

The concrete wall would have beneficial impact in protecting the residents and potentially adverse impacts due to the threat of blufftop failure during installation and loss of integrity of surface terrace deposits.

Beach Access: There is no access from the blufftop to the beach at the project site. Longitudinal access (walking along the beach) will be affected at medium and high tides. The beach is used by small numbers of people for walking, jogging, etc.

When the tide is within 20 feet of the bluff, pedestrians would have to walk along the steps of the seawall instead of the flat sandy beach. This is considered an adverse impact. However, at higher tides, when no access would now be present, these same steps would allow longitudinal beach access. This is a beneficial aspect of the same project.

There are only occasional sunbathers at the project site. Since the project is localized and not expected to be expanded in any direction, the potential loss of a small area of sandy beach is considered adverse but not significant.

Aesthetics: The sea wall will be visible for several hundred yards east of the project. The wall is considered visually unappealing relative to the natural bluff face. Concrete colored to match the natural bluff would reduce the adverse aesthetic impact of the project.

DOCUMENT PREPARED BY: Environmental Specialist Dev Vrat.
Please contact at 936-1611, Ext. 377 for further information.

PUBLIC HEARING DATE: 9:30 a.m. on June 14, 1979 at 9:30 a.m. in the Planning Commission Hearing Room No. 17, 123 East Anapamu Street, Santa Barbara, California. If you cannot attend this meeting, please make sure that written testimony reaches this office 24 hours in advance of the hearing. Telephone testimony will also be accepted. Copies of this ND may be obtained at our office. Anyone wishing to see the project file for this ND may do so by visiting our office.

CHANGES IN "PROJECT DESCRIPTION": Any element in the project description that is not met as described shall constitute an action not considered as part of the initial study for this ND. In these cases, DER requests a complete reevaluation in light of these element changes. This reevaluation may be subject to all regular fees and conditions.

bag

CALIFORNIA PUBLIC INFORMATION ACT
MINUTE PAGE 042
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COUNTY OF SANTA BARBARA
CALIFORNIA

DEPARTMENT OF PLANNING

ENGINEERING BUILDING,
123 E. Anapamu St.
SANTA BARBARA
CALIFORNIA 93101
(805) 966-1611

June 12, 1979

BRITT A. JOHNSON
Planning Director

PAUL W. WACK
Assistant Planning Director

TO: Dev Vrat - DER
FROM: Karen Emos - Planning *KJE*
RE: 79-ND-70, Flynn Seawall, 79-MP-4

This department has the following comments regarding the above referenced project:

1. This department has some concern as to whether this project will have a negative or positive effect on the life span of the cliff, and therefore, the Flynn Residence. The amount of activity on the cliff required to construct each of the projects (the balsecretto sea wall, concrete retaining wall, and bluff top drainage system), in itself, could have detrimental effects on the stability of the cliff.
2. This department supports the use of concrete colored to match the natural bluff face on both the balsecretto sea wall and the concrete retaining wall.

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ADMINISTRATION

COMPREHENSIVE PLANNING

LAND DIVISIONS

PLANNING COMMISSION

ZONING INFORMATION
AND ENFORCEMENT

Planning, Research, Graphics

CONTACT LOG

OIX LIX: # 2716

OIX STAFF MEMBER GREG MOHR

PERSON/TITLE: COASTAL COMMISSION

DATE: 1/19/79

DISCUSSION: SEAWALL CASE (FLYNN-AUSTIN RD)
UNDER CONSIDERATION AT PRESENT - CC LOS
#'s 190-16 (UNDERGROUND) + 190-18 (WAVE
DISSIPATOR) - 190-16 HEARD ON 15 DEC 78
WAS CONTINUED, OTHER NOT YET HEARD. CONTACT =
PEGGY BURBANK, 969 5828

PERSON/TITLE: PEGGY BURBANK

DATE: 1/19/79

DISCUSSION: C.C. IS HOLDING ACTION UNTIL COUNTY
APPROVES PROJECT. THEY HAVE RECEIVED PRESSURE
TO APPROVE THIS PROJECT AND HAVE SUGGESTED
ALTERNATIVES TO FLYNN; APPARENTLY HE ATTEMPTED
SEVERAL MONTHS AGO TO OBTAIN THEIR APPROVAL
WITHOUT PRIOR COUNTY APPROVAL (THIS WAS FOR THE
DRAINAGE SYSTEM; WAVE DISSIPATOR IS A NEW ADDITION,
WE WILL BE IN TOUCH ON THIS CASE.

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COMMENT NOTIFICATION

For NDS & EIRs

WITH a Public Hearing

(Optional for Non-County Departments)

SUBJECT: 79-ND-70, 79-MP-4, Flynn, AP# 65-310-26

Written Comments Deadline: Friday, June 8, 1979

Public Hearing Date: Thursday, June 14, 1979

RECEIVED
SANTA BARBARA COUNTY
DEPARTMENT OF
ENVIRONMENTAL
RESOURCES
MAY 31 2 52 PM '79

PLEASE RETURN TO: Department of Environmental Resources
before the deadline for written comments
(it is not necessary to return the NDS
or EIRs)

FROM:

ROBERT M. NORRIS, REG. GEOLOGIST
1474 NUECES DR.
SANTA BARBARA, CALIF. 93110

Please Check One:

This Department has enclosed comments
with this notification.

This Department has no comments
concerning this document.

*I have already written
a geologic report on the
subject + have nothing
new to add.*

Planning
Planning - Landscape Planner
Ag Comm
Air Pol Ctl Dir
Dept of Trans/Franklin
Fire Prev Ctl Off
Flood Ctl
Grading/Pub Wks
Health Dept/Env Div
Supt of Sch/Lino D. Mautino
Surveyor
Petl Adm
Administrative Office/LAFCO
Parks

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Phone conversation of 6/15/79 the LCP staff states the following as their policy for seawalls:

coastal zone. Developments within any of the hazardous zones in rural areas will be very low density and subject to stringent building, brush clearance, access, and water storage capacity restrictions (for fire suppression purposes) by the County Fire Department and/or the U. S. Forest Service.

3.3.3 POLICIES

Seawalls and Shoreline Structures

Policy 3-1: Seawalls shall not be permitted unless the County has determined that there are no other less environmentally damaging alternatives for protection of existing development. Where permitted, seawall design and construction shall respect to the degree possible natural landforms. Adequate provision for lateral beach access shall be made and the project shall be designed to minimize visual impacts by the use of appropriate colors and materials.

Policy 3-2: Revetments, groins, cliff retaining walls, pipelines and outfalls, and other such construction that may alter natural shoreline processes shall be permitted when designed to eliminate or mitigate adverse impacts on local shoreline sand supply and so as not to block lateral beach access.

Policy 3-3: To avoid the need for future protective devices that could impact sand movement and supply, no permanent above-ground structures shall be permitted on the dry sandy beach except facilities necessary for public health and safety, such as lifeguard towers.

Bluff Protection

Policy 3-4: In areas of new development, above-ground structures shall be set back a sufficient distance from the bluff edge to be safe from the threat of bluff erosion for a minimum of 50 years. The County shall determine the required setback. A geologic report may be required by the County in order to make this determination. (See also Policy 4-5 regarding protection of visual resources.)

Policy 3-5: Within the required blufftop setback, drought-tolerant vegetation shall be maintained. Grading, as may be required to establish proper drainage or to install landscaping, and minor improvements, i.e., patios and fences that do not impact public views or bluff stability, may be permitted.

Policy 3-6: Development and activity of any kind beyond the required bluff-top setback shall be constructed to insure that all surface

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Courthouse
Santa Barbara, Calif. 93101

NOTICE OF DETERMINATION ON A PROJECT

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|---|-----------------------|-------------------------|--------------|
| Lead Agency COUNTY PLANNING DEPARTMENT | Division | | |
| Address 123 East Anapamu Street | City Santa Barbara | County Santa Barbara | Zip 93101 |
| Contact Person BRETT A. JOHNSON | Area Code 805 | Phone 916-1611 | Ext. 230 |
| Project Title FLYNN SEAWALL, 79-MP-A | | | |

The Environmental Quality Coordinator has determined that the project described in 79-ND-70 will not have a significant effect on the environment and has approved the said ND.

-OR-

The Environmental Quality Coordinator has determined that the project described in -EIR- will/will not have a significant effect on the environment and has approved/certified the said EIR.

The Lead Agency has approved/disapproved the project described in 79-ND-70

-EIR-

PLANNING DIRECTOR, JUNE 21, 1979

-EIR- for said project has/has not been prepared pursuant to the provisions of CEQA.

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| Project Location ISLA VISTA | County of Project Location SANTA BARBARA |
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Address where copy of ND or Final EIR is available:

EIR, County Administration Building, 105 East Anapamu St., Room 401, Santa Barbara, California 93101

Brett A. Johnson 6/21/79

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State of California

GOVERNOR'S OFFICE

OFFICE OF PLANNING AND RESEARCH

1400 TENTH STREET

SACRAMENTO 95814

(916) 445-0613



EDWARD G. BROWN JR.
GOVERNOR

June 29, 1979

RECEIVED
SANTA BARBARA COUNTY
OFFICE OF PLANNING AND RESEARCH
JUN 29 3 25 PM '79

Dev Vrat
Santa Barbara County
105 E. Anapamu, SB
Santa Barbara, CA 93101

file

Subject: Draft ND 79-ND-70 79060517

Dear Mr. Vrat:

The State Clearinghouse submitted the above listed environmental document to selected State agencies for review. The review is complete and none of the State agencies have comments.

This letter verifies your compliance with environmental review requirements of the California Environmental Quality Act.

Thank you for your cooperation.

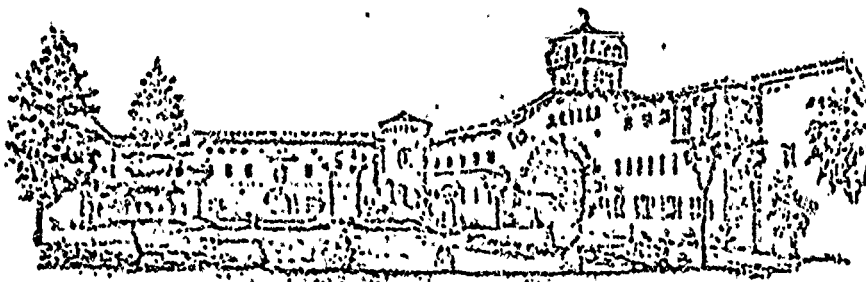
Sincerely,

Stephen Williamson
State Clearinghouse

CALIFORNIA
MIDDLE PAGE
048
492

ALBERT F. REYNOLDS
Director

100 Anapamu St.
Santa Barbara, Calif. 93101
Telephone 960-1611



DEPARTMENT OF ENVIRONMENTAL RESOURCES

June 14, 1979

Mr. Britt A. Johnson
County of Santa Barbara
Planning Department
123 East Anapamu Street
Santa Barbara, CA 93101

Dear Mr. Johnson:

The following Negative Declaration (ND) was determined to be "complete" in the Department of Environmental Resources (DER) Public Hearing of June 14, 1979

attached are two copies of Negative Declaration 79-ND-70

The purpose of sending you this ND now is to speed up the County processing procedures. Public hearing scheduling and preliminary consideration by your staff, for example, could occur immediately. The applicant may now proceed to the Planning Department to complete the next phase of processing.

As you know, the County Environmental Guidelines presently require a 6-day appeal period before an ND processed with a public hearing can be considered "final;" therefore, discretionary action on this case cannot take place prior to 5:00 PM on June 20, 1979 at which time this ND will be "final," absent a competent appeal.

Please remember that any meaningful changes in the Project Description which might occur may require further review by the Department of Environmental Resources. Actions which might be taken that have not received proper environmental review are vulnerable to legal action.

Sincerely,

Albert F. Reynolds
Director

AFR:cdf

Attachment
cc: Applicant
Agent

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