



City of Santa Barbara California

PLANNING COMMISSION STAFF REPORT

REPORT DATE: March 30, 2011
AGENDA DATE: April 7, 2011
PROJECT: **DISCUSSION OF WORK PROGRAM FOR
CITY ENVIRONMENTAL REVIEW RESOURCE DOCUMENTS**
TO: Planning Commission
FROM: Planning Division, (805) 564-5470
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I. PURPOSE

The purpose of this staff report is to familiarize the Planning Commission with existing environmental review resource documents and procedures, and provide information relative to the updating project currently underway, including an outline and status for each of the anticipated work products.

No action is required for this item, although staff would appreciate a discussion with the Planning Commission and interested parties on the work effort and products.

II. INTRODUCTION

The City Planning Division conducts environmental review for all discretionary projects and produces environmental documents as required by state and federal law. However, there are inefficiencies due to the state of our resources and procedures, and because we have not taken full advantage of technological improvements and other efficiency measures that are now available.

Currently, Staff is undertaking a comprehensive review, restructuring, and, where necessary, revision of the City's environmental resource documents and procedures. However, due to limited resources, it is not within the scope of this work program to undertake major changes to specific assessment methodologies and/or thresholds of significance.

Staff's primary objectives are to:

- Continue to uphold the City's long history of environmental protection and maintain our thorough level of environmental analysis;
- Ensure full compliance with the California Environmental Quality Act's (CEQA) mandates; and,
- Increase clarity and user-friendliness of the City environmental review information and process.

To implement the project objectives, staff has identified streamlining goals, including:

- Recognizing that in many cases, Federal, State and local ordinance/regulation/code requirements “pre-mitigate” impacts;
- Focusing analysis on unique environmental issues associated with a site or project and emphasize presentation of those findings to the decision-makers and public;
- Utilizing technology to make environmental review information, databases, and documents more effective and user-friendly; and,
- Ensuring that our new Master Environmental Assessment (MEA) and associated Preliminary Environmental Review Worksheet and Initial Study template can be updated in large part administratively to address changes to CEQA Statute and Guidelines, as well as other process changes as may occur from time to time in the future.

III. DISCUSSION

The following outlines the work products that staff are developing and the status and issues encountered with each.

A. NEW MEA GUIDELINES DOCUMENT

Background

State CEQA Guidelines provide that a public agency may prepare a MEA as a means to identify, inventory and organize environmental information for an area, which may be used or referenced in the preparation of environmental documents, as well as serve other purposes (§15169). No content, format or adoption requirements are specified, except with regard to thresholds of significance, which, if to be included in an MEA or otherwise used, must follow a review and adoption process (§15064.7).

The City’s MEA was originally drafted in 1979, with sections revised in 1981. The Cultural Resources Section was revised in 1989 and a new *Guidelines for Archaeological Resources and Historic Structures/Sites* document was adopted in 2002. With the exception of the archaeological resources and historic structure/site information, much of the information in the MEA has been superseded by other sources. These sources include: agency directives; staff memos; the Conditions, Trends, and Issues Report (2005); URS environmental review guidance and maps (2006) for biological resources, air quality, geology and geohazards, and noise; and the PlanSB Certified Final Environmental Impact Report (2010). In addition, over the years, there have been numerous revisions to the State CEQA Statute and Guidelines and these are not reflected in the City’s MEA. As discussed below under Item C, Revise Initial Study Template, the Initial Study Template has been revised regularly to reflect the most up-to-date information.

Work Product

The new MEA Guidelines Document would include the following:

- For each resource and service issue (air quality, biology, water service, etc.), information, in addition to the mapping work already completed, would include:
 - Setting;
 - Regulatory Framework;
 - Thresholds of Significance (Long-Term, Short-Term and Cumulative);
 - Methodology for Evaluation;
 - Analysis and Impact Determination;
 - Standard Mitigation Measures; and,
 - References.
- Administrative procedures that would include revised/updated *City of Santa Barbara Guidelines for Implementation of CEQA* (1994), as well as staff procedures for the completion of environmental review (procedural requirements).

Status and Issues

Regulatory Framework for Environmental Resources and Services. A draft of this document is nearing completion. Compliance with many of these ordinances/regulations/codes (and/or consistency with certain environmental policies) can provide the basis for finding that a particular impact will be avoided or at least not rise to a level of significance. At this time, staff is undecided as to whether the document will be appended to the updated MEA Guidelines Document or if each resource and service issue section will contain the applicable ordinances/regulations/codes (and policies) that comprise the issue's regulatory framework.

Thresholds of Significance. The City utilizes quantitative, qualitative and performance standards as thresholds of significance. Thresholds of significance are dependent on project type and conditions. Many of the thresholds used in environmental analysis today are as adopted in the original MEA. However, there are some notable exceptions including other agency's thresholds (i.e. air quality and solid waste) and those thresholds that are derived from City code or policy documents that have been revised over the years (i.e. traffic).

Again, this work effort does not include wholesale changes to our existing thresholds of significance. However, there may be some thresholds of significance that could be clarified or adjusted. To that end, staff has reviewed several other agencies' environmental review guidance documents (Ventura County, City of Los Angeles, County of Santa Barbara, and to a lesser degree County of San Diego and other Southern California cities and counties). Staff will provide further information on comparison of thresholds of significance between these agencies and the City of Santa Barbara at the meeting.

Methodology for Evaluation and Analysis and Impact Determination. Sections of the existing Initial Study template include information on methodology for evaluation of impacts, as well as how to analyze impacts and make a significance determination using the methodology. That information, together with industry practices and guidance from other agencies will be included. This work product has not been started.

Standard Mitigation Measures. Staff is aware that there can be several versions of frequently used mitigation measures. Efforts here will focus on reducing redundancies and standardizing language, similar to the recently completed work on the Standard Conditions of Approval template. This work product has not been started.

Administrative Procedures. This work product will draw heavily from the existing *City of Santa Barbara Guidelines for Implementation of the California Environmental Quality Act* (1994) and a draft staff procedures document (2005) that was not completed. This work product has not been started.

B. NEW PRELIMINARY ENVIRONMENTAL REVIEW WORKSHEET AND DIRECTIONS DOCUMENT

Background

A first step in the review of any project is to determine whether it is subject to CEQA. CEQA provides exemptions; however, in almost all cases a preliminary environmental review is undertaken to screen for potentially significant impacts and other exceptions to the use of an exemption.

The preliminary environmental review process is extensive and involves reviewing the project description and plans against all MEA resource maps for environmental constraints and sensitivities, as well as all resource specific databases to screen for service constraints. As a result of the URS work noted above and work on the PlanSB Certified FEIR, many of the maps and service information have been updated. In 2010, the City converted the mapping program Planning staff uses to a new system utilizing the most up-to-date maps and allowing all case planners to have access at their desktops.

There has never been a step-by-step comprehensive guide explaining how to further evaluate issues at the preliminary level. In many cases, the Environmental Analyst is relied on for expertise and guidance until less experienced staff acquire the knowledge necessary to access information from a variety of sources.

Work Products

Preliminary Environmental Review Worksheet. The worksheet for staff will include questions keyed to the new MEA maps and other data sources. Portions of the worksheet will be automatically populated (mapped and other data source information). Other portions of the worksheet will require staff review of development application information and plans to complete.

For example, under Biology, a likely question will be: "Is the project site within 100' of a creek or wetland?" Because these areas are mapped digitally, this question would automatically be answered by the computer program.

However, some questions require staff analysis. For example, under Noise, a likely question will be: "Does the project have the potential to create substantial noise?" Typical project types that could create substantial noise [e.g. unscreened exterior mechanical equipment, rock crushing operations and batch plants, pneumatic equipment (e.g. auto repair and tire shops),

outdoor speakers, bells or chimes, etc.] would be identified to assist staff in making that determination.

Directions Document. The Directions Document is the companion guidance reference to the Preliminary Environmental Review Worksheet. For any question on the Preliminary Environmental Review Worksheet that has a "Yes" answer, the Direction Document provides the next steps for analysis, which may include determining that upon further review, no issue exists, or that additional information is required. If additional information is required, the Document will explain why, and how to request that information and subsequently analyze it. This will ensure a more standardized approach to the various reports we receive, such as Noise Studies, Biological Assessments, Geotechnical Studies, etc.

Status and Issues

Both the Preliminary Environmental Review Worksheet and Directions Document have been drafted. This effort resulted in a full examination of existing environmental review practices and in many cases resulted in reducing redundant analysis of issues. The Directions Document has been prepared so that staff with limited environmental review experience could accomplish more routine analysis and arrive at a significance determination on their own, as well as outline points in the process where consultation with the Environmental Analyst or more information is needed. At this time, staff is continuing to work on the automation of the Worksheet as well as testing it on sample projects. Staff is also making final adjustments to the Directions Document.

C. REVISE INITIAL STUDY TEMPLATE

Background

If, based on preliminary environmental review, it is determined that a project is not exempt from CEQA, an initial study is typically completed to determine the type of environmental document required (Mitigated Negative Declaration or Environmental Impact Report). The initial study is comprised of a series of questions that require analysis of resources and services that a proposed project may affect. State CEQA Guidelines include an example Environmental Checklist Form that can serve as an initial study; however, agencies are not required to utilize the State's form and are permitted to develop their own, as the City of Santa Barbara has done. Both the State CEQA Guidelines and case law direct that explanations for each answer in the initial study be provided (i.e. no "naked" checklists), although the method and format for providing the explanations is not specified.

Since the early 1990's, there have been efforts to update the City's Initial Study template. The questions asked in the Initial Study have remained substantially unchanged, although over the years staff has added more discussion of setting, regulatory framework information, threshold and impact analysis information, and in some cases typical mitigation measures to address more common impact issue areas. The Initial Study template has become, for many resource and service issue areas, a replacement to the information contained in the original MEA. Partly, this was due to the complexity of updating the original MEA. As a result, the Initial Study template is now 25 pages long.

Work Product

The new Initial Study template would utilize some of the past work efforts, but formatting and content would be restructured and revised and would follow and include these items:

- State CEQA Guidelines Appendix G Environmental Checklist Form questions with only minimal changes to address City conditions.
- New MEA Guidelines document would be referenced, but not repeated.
- New Preliminary Environmental Review Worksheet would be attached and would serve as the basis for focusing issues to be discussed in the Initial Study.
- New Manual of Ordinances/Regulations/Codes would be either attached or referenced, depending on the final work product.

The new Initial Study template is envisioned to reference the reader to existing environmental resource documents to explain benign or less than significant impact findings and to focus on those environmental issues and impacts that are peculiar to a site and/or project.

Status and Issues

Work on the comprehensive restructuring of the Initial Study template has not begun and is anticipated to be completed at the same time as the new MEA is developed, as much of the information in the existing Initial Study Template will be moved into the new MEA.

IV. NEXT STEPS

Staff will continue with preparation of the work products discussed above. We anticipate returning to the Planning Commission when a draft of the MEA and Initial Study Template have been completed.