

Findings for Approval
County of Santa Barbara Energy and Climate Action Plan Amendments

1.0 CEQA FINDINGS

1.1 FINDINGS PURSUANT TO PUBLIC RESOURCES CODE SECTION 21081 AND THE CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES SECTIONS 15090 AND 15091:

1.1.1 CONSIDERATION OF THE ENVIRONMENTAL IMPACT REPORT

The Final Environmental Impact Report (14EIR-00000-00003) provides environmental impact analysis for the Energy and Climate Action Plan amendments, including: the Energy and Climate Action Plan (May 2015); Santa Barbara County Comprehensive Plan Energy Element amendment (14GPA-00000-00004); and Ordinance amending Articles VI, Primary Energy Code, and IX, Primary Green Building Standards Code, of Chapter 10, Building Regulations, of the County Code (15ORD-00000-00008).

The Final Environmental Impact Report (May 2015) was presented to the Board of Supervisors and the Board of Supervisors considered the information contained in the Final Environmental Impact Report and its appendices prior to approving the project. In addition, all voting members of the Board of Supervisors have reviewed and considered testimony and additional information presented at or prior to public hearing on May 19, 2015. The Final Environmental Impact Report (EIR) reflects the independent judgment and analysis of the Board of Supervisors and is adequate for this project.

1.1.2 FULL DISCLOSURE

The Board of Supervisors finds and certifies that the Final EIR (14EIR-00000-00003) constitutes a complete, accurate, adequate, and good faith effort at full disclosure under CEQA. The Board of Supervisors further finds and certifies that the Final EIR has been completed in compliance with CEQA.

1.1.3 LOCATION OF RECORD OF PROCEEDINGS

The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Planning and Development Department located at 123 East Anapamu Street, Santa Barbara, CA 93101.

1.1.4 FINDINGS THAT IMPACTS ARE LESS THAN SIGNIFICANT

The Board of Supervisors finds that in accordance with the environmental impact analysis provided in 14EIR-00000-00003 (May 2015), all subject areas identified in the Final EIR were considered to cause adverse impacts that are not found to be significant to the environment (Class III). Therefore, there are no alterations or feasible changes required for these impacts.

Land Use

The project (the “Refined Project” studied in the Final EIR) does not propose to change existing land use designations or zoning and anticipates that land uses will be consistent with the designations established by the Comprehensive Plan Coastal Land Use Plan and Land Use Element. Approval of the proposed Energy and Climate Action Plan (ECAP) would establish conformance between the ECAP and the Comprehensive Plan.

Transportation and Circulation

Any future construction implementing ECAP measures and actions that involve roadway improvements would remain subject to County roadway design standards, such as sight distance requirements and curb-to-curb separation distances. Likewise, implementation of the ECAP’s measures and actions regarding bicycle facility improvements would be in accordance with the County’s Bicycle Master Plan, which specifies design standards for bicycle facilities based on standards established by Caltrans, the Institute of Traffic Engineers, the American Association of State Highway Transportation Officials, and the Manual on Uniform Traffic Control Devices.

Aesthetics

The ECAP does not propose to change existing land use designations or zoning and anticipates that land uses will be consistent with the designations established by the Comprehensive Plan Land Use Element and Coastal Land Use Plan. Nevertheless, some physical changes could be facilitated by the proposed ECAP that promote installation of utility-scale renewable energy generators. However, individual projects would be reviewed on a case-by-case basis, subject to project-specific environmental review consistent with the County Environmental Thresholds and Guidelines Manual and zoning ordinances, and would have to be found consistent with state law and County policies and standard conditions of approval. Future project characteristics and locations are unknown and any impact analysis and conclusion on level of significance would be speculative at this time for such project-specific impacts.

Agricultural Resources

Implementation of Comprehensive Plan policies and the County zoning ordinances, as well as continued adherence to the California Coastal Act, would address agricultural impacts. Furthermore, the ECAP contains measures to benefit agriculture. In addition, while the loss of agricultural lands from the construction of renewable energy generating facilities could be substantial, such facilities are already allowed on agricultural lands under the existing regulatory environment. Thus, agricultural impacts associated with the proposed ECAP would be adverse, but less than significant, as the ECAP only promotes utility-scale renewable energy generation and does not propose to fund, entitle, or approve any specific energy generating facility projects.

Biological Resources

Implementation of future ECAP measures would be required to comply with the environmental reporting requirements of CEQA following submittal of a specific development proposal, including the need to evaluate potential biological impacts for both short- and long-term impacts in the form of site-specific biological studies on a case-by-case basis consistent with the County Environmental Thresholds and Guidelines Manual and zoning ordinances. Individual projects would also have to be consistent with state law and County policies and standard conditions of approval. Therefore, impacts on wetlands and riparian habitat would be adverse, but less than significant.

Noise

At the time of specific project-level environmental review, implementation of certain ECAP measures, in combination with other future development in the region, has the potential to temporarily increase noise levels due to construction activities and permanently increase noise levels due to more developed circulation systems. It is anticipated that potential impacts would be addressed on a case-by-case project level basis through compliance with County Comprehensive Plan and zoning ordinance policy provisions.

Air Quality

The ECAP is intended to reduce greenhouse gas (GHG) emissions generated in the unincorporated county to contribute to global efforts to reduce the effects of climate change by, among other things, promoting the use of fuel-efficient and alternatively fueled vehicles, promoting water conservation, and reducing waste generation. In addition to reducing GHG emissions, each of these measures would help to reduce criteria air pollutants.

Greenhouse Gas Emissions

The proposed ECAP would not conflict with the goals of AB 32 or the AB 32 Scoping Plan. The effects of climate change could result in the exposure of unincorporated Santa Barbara County to associated environmental effects. While the exact extent of the environmental effects of climate change on the unincorporated county is not known at this time, state provision, in addition to existing County Comprehensive Plan policy provisions, address these effects.

1.1.5 FINDINGS REGARDING PROJECT ALTERNATIVES

The Final EIR (14EIR-00000-00003) prepared for the project evaluated a No Project Alternative, Alternative 2: 20% or More GHG Reduction Alternative (Includes Required Measures, Community Choice Aggregation, and Sustainable Communities Strategy), and Alternative 3: Modification of Measures BE 2 (Energy-Efficient Renovations) and BE 4 Energy Scoring and Audits) as methods of reducing or eliminating potentially significant environmental impacts. The Board of Supervisors finds that the alternatives are infeasible for the reasons stated:

A. No Project Alternative

The No Project Alternative assumes the ECAP and corresponding amendment to the Energy Element of the County of Santa Barbara's Comprehensive Plan would not be adopted and fails to achieve the basic objectives of the project. The No Project Alternative would result in similar impacts on the following resources relative to the ECAP: Land Use, Transportation and Circulation, Aesthetics, Agricultural Resources, Biological Resources, and Noise.

The No Project Alternative would result in greater impacts on the Air Quality and Greenhouse Gas Emissions. The No Project Alternative would not achieve the ECAP's beneficial impacts on air quality related, in part, to the ECAP's reduction in vehicle miles traveled, energy conservation programs, and support for renewable energy sources. Additionally, it would not establish GHG reduction measures, thus, it would not reduce the amount of GHG emission generated in the county. Therefore, the Board of Supervisors finds the ECAP Refined Project is preferable to the No Project Alternative.

B. Alternative 2: 20% or More GHG Reduction Alternative (Includes Required Measures, Community Choice Aggregation, and Sustainable Communities Strategy)

Alternative 2 targets a 20 percent or more reduction in GHG emissions from the baseline year by 2020. This option includes all the GHG reduction measures and actions of the proposed ECAP and further strengthens the implementation actions related to the following measures: BE 2 – Energy-Efficient Renovations, BE 4 – Energy Scoring and Audits, WR 1 – Waste Reduction, WR 2 – Increased Recycling Opportunities, and WR 3 –Construction and Demolition Waste Recycling.

BE 2 would be altered to implement an energy conservation ordinance requiring all residential and nonresidential properties to complete an energy audit and retrofit to reduce energy use by 30% or verify their participation and savings in other energy conservation programs by 2020.

BE 4 would be altered to require all residential properties provide an energy audit at the time of sale. Secondly, all residential property owners would be required to implement recommended energy efficiency measures provided by the energy audit or similar program. Lastly, all nonresidential properties would be required to provide buyers or tenants with the previous year's energy use documented through EnergyStar Portfolio Manager.

WR 1, WR 2, and WR 3 would be altered to establish net zero waste goals. Alternative 2 has all the same impacts to resources as the proposed ECAP but would have slightly greater beneficial impacts related to GHG emissions.

Alternative 2 would achieve the ECAP's beneficial impacts on air quality related, in part, to the ECAP's reduction in waste reduction, energy conservation programs, and support for renewable energy sources. It would establish GHG reduction measures and would,

therefore, achieve the project objectives. The Refined Project, in comparison to the other alternatives, is similar to Alternative 2 in terms of meeting the County's GHG emission reduction target, with the added benefit of removing the energy audit requirement at point of sale and other measures which are less feasible. Therefore, the Board of Supervisors finds the ECAP Refined Project is preferable to the Alternative 2.

C. Alternative 3: Modification of Measures BE 2 (Energy-Efficient Renovations) and BE 4 Energy Scoring and Audits)

Alternative 3 consists of implementing the same ECAP as the Refined Project, with revisions to the implementation actions of BE 2 – Energy-Efficient Renovations and BE 4 – Energy Scoring and Audits.

BE 2 would be altered to require energy audits for all building permits valued greater than \$15,000 and offer expedited building permit plan check for implementing audit recommendations, and consider providing rebates for completing the audit or waiver of building permit fees if upgrades were completed.

BE 4 would be altered to require residential property owners to complete energy audits at time of building sale.

Alternative 3 would also result in a less than significant GHG emission impact similar to the Refined Project. The Refined Project is similar to Alternative 3 in terms of addressing community concerns in response to potential burdensome ECAP requirements for homeowners and sellers, with the added benefit of removing the energy audit requirement at point of sale and further reducing GHG emissions such as by incorporating government operations measures. Therefore, the Board of Supervisors finds the ECAP Refined Project is preferable to Alternative 3.

D. Final EIR – Refined Project Analysis

The Final ECAP (May 2015) incorporates minor revisions to ECAP emission reduction measures in response to comments received on the Draft EIR, particularly community concerns over potentially burdensome emission reduction measures. The project incorporating the refinements is referred to as the "Refined Project" and discussed and analyzed in the Final EIR – Chapter 10.0, Refined Project Analysis (May 2015).

The Refined Project would increase the ECAP's beneficial effect on air quality and result in a greater reduction in GHG emissions. The Draft EIR project would result in reductions of 186,960 MTCO₂e by 2020 and the Refined Project would result in reductions of 188,030 MTCO₂e by 2020. The Refined Project further incorporates improvements to GHG reductions, such as adding government facilities and operations measures and broadening the application of certain measures, thus further reducing GHG emissions.

The Board of Supervisors finds that the Final EIR Refined Project is preferred over the project alternatives for reasons of meeting the project objectives, removing onerous and less feasible measures, and providing flexibility in terms of meeting the County's GHG reduction target.

2.0 GENERAL PLAN AMENDMENT FINDINGS

Government Code Section 65358(a) requires a general plan amendment to be in the public interest.

The County of Santa Barbara Board of Supervisors finds that the Energy and Climate Action Plan Amendments are in the public interest for the following reasons:

The County of Santa Barbara Energy and Climate Action Plan Amendments include the addition of a new Energy Element Policy and Research Action. The primary intent of the Energy and Climate Action Plan Amendments are to create an implementation tool to identify actions to reduce greenhouse gas emissions throughout the County, in order to meet state-required emission reduction mandates (set via Assembly Bill 32 and Senate Bill 97), as well as the County's 15% GHG emissions reduction target. Ultimately, the reduction of GHGs improves air quality and lowers certain types of pollutants, both of which benefit the public. The ECAP outlines the County's commitment and strategy to reduce GHG emissions, as well as to protect the built environment, public health and welfare, and natural resources from the vulnerabilities caused by changing climate conditions. Overall, it is in the public interest to reduce GHG emissions throughout the unincorporated county by adopting the amendments associated with the Energy and Climate Action Plan.