

Santa Barbara Ranch Alternatives

September 25, 2008

- A project cannot be approved where feasible alternatives exist that would substantially reduce the environmental impacts of the Project. Public Resources Code § 21002.
- The FEIR improperly identifies Alternative 1B as the environmentally superior alternative.
- The EIR improperly failed to identify many areas of project inconsistency with applicable policy, and then failed to recognize these inconsistencies as significant impacts, skewing the alternatives analysis.
- The FEIR wrongly disregarded alternatives identified in the FEIR including Alternatives 2, 4 and 5, which the Coastal Commission determined were environmentally superior. The FEIR does not establish that these alternatives or a combination of them is infeasible.
- SBR recently acquired an option to buy the DPR lands where most of the inland development would occur. This makes feasible alternatives that do not include DPR, hence avoiding impacts including significant impacts to cultural resources. Under CEQA, this constitutes significant new information disclosing a feasible project alternative that clearly would lessen the environmental impacts of the project, for which recirculation of the EIR is required.¹
- The County has impermissibly² allowed the project applicant (including DPR) to dictate the range of feasible alternatives.
- The FEIR places substantial weight on the objective of cooperatively resolving litigation in its consideration of alternatives including Alternatives 2, 4 and 5, but offers no actual support that these alternatives would not cooperatively resolve litigation. Further, the weight given to this objective is grossly disproportionate to the actual litigation threat, which now involves only one case which most likely is now moot (the case challenges an amendment to the LCP and Coastal Zoning ordinance requiring discretionary permits for private septic facilities)
- The Board should consider an alternative which modifies Alt. 1B to remove or substantially reduce development on the coastal bluff. This would avoid many significant impacts and allow ample flexibility for a coastal trail that extends the entire bluff.

¹ Guidelines § 15088.5 (a)(3); *Laurel Heights Improvement Association v. Regents of the University of California* (1993) 6 Cal. 4th 1112, 1129-1130.

² *Preservation Action Council v. City of San Jose* (2006) 141 Cal. App. 4th 1336, 1355; *Uphold our Heritage v. Town of Woodside* (2007) 147 Cal. App. 4th 587, 602.