



City of Santa Barbara California

PLANNING COMMISSION STAFF REPORT

REPORT DATE: February 17, 2011
AGENDA DATE: March 3, 2011
PROJECT ADDRESS: 500 James Fowler Road (MST2010-000379)
 Goleta Slough Sediment Basin Dredging Project
TO: Planning Commission
FROM: Planning Division, (805) 564-5470
 Danny Kato, Senior Planner *DK*
 Andrew Bermond, AICP, Associate Planner *ARB*

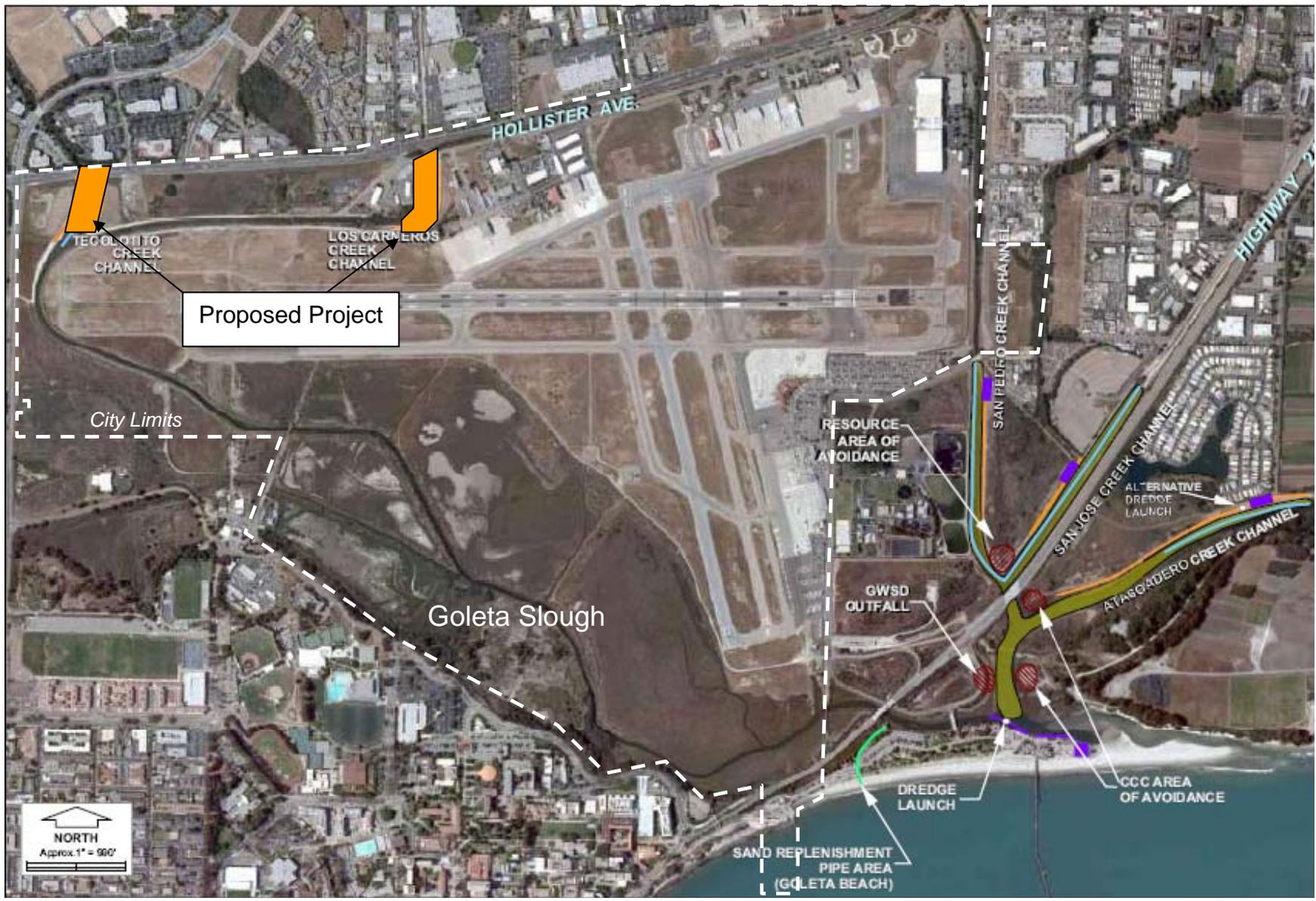
I. PROJECT DESCRIPTION

The Goleta Slough Sediment Basin Dredging Project consists of the continued maintenance of two sediment basins in the Goleta Slough immediately south of Hollister Avenue on Santa Barbara Airport property. Specifically the project would involve dragline desilting of approximately 21,300 cubic yards of sediment from a crane staged on the adjacent access road, temporary stockpiling of sediment, and testing of sediment for potential reuse. The sediment would then be hauled outside of the City of Santa Barbara to be used for beach nourishment, upland reuse, or upland disposal. Generally dredging at each site would occur once every 2 years for a total period of ten years. One site would be dredged at a time. However emergency dredging would occur as needed.

This project is part of a larger Flood Control District effort that includes dredging in five sediment basins in the Goleta Slough (two within the City and three outside the City). The purpose of this effort is to prevent the loss of life and property that could occur during peak storm flooding and to prevent the gradual sedimentation of the Goleta Slough. In addition to the dredging activities, the overall project includes stockpiling and testing of sediment and either reuse of the sediment for beach nourishment (Goleta Beach), upland reuse (various potential locations), or upland disposal (Foothill Landfill Sediment Disposal/Restoration Site). Additionally, the Flood Control District is proposing several habitat enhancement projects at Atascadero Creek, San Jose Creek, and the Foothill Landfill. Desilting of Tecolotito and Carneros Creeks sediment basins are the only portions of overall project within City of Santa Barbara jurisdiction. All other activities are within the jurisdiction of the unincorporated Santa Barbara County or City of Goleta.

II. REQUIRED APPLICATIONS

The discretionary applications required for this project are a Coastal Development Permit and a Goleta Slough Coastal Development Permit (CDP2010-00008) to allow the continued routine dredging of the Tecolotito Creek and Carneros Creek Sediment Basins in the Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.44.060 and §29.25.030).



Sediment Basins and Stockpiling Areas in the Goleta Slough

APPLICATION DEEMED COMPLETE: January 12, 2011
DATE ACTION REQUIRED: July 7, 2011 (Government Code §65952)

III. RECOMMENDATION

If approved as proposed, the project would conform to the City’s Zoning Ordinance and policies of the General Plan and Local Coastal Program. Therefore, Staff recommends that the Planning Commission approve the project, making the findings outlined in Section IX of this report, and subject to the conditions of approval in Exhibit A.

IV. BACKGROUND

The Goleta Slough has a long history of degradation through sedimentation. In 1861 heavy rains on the new cattle ranchlands of the Goleta Valley caused significant debris flow (i.e. mudslides) which filled much of what had been Goleta Bay. For the past century and a half upstream land uses have presented a continued source of debris and sediment that gradually fill the wetlands of the Goleta Slough; destroying vital coastal wetland habitat.

For the past 40 years, the Santa Barbara County Flood Control District has been maintaining 5 sediment basins in the Goleta Slough. Of those only 2, Tecolotito and Carneros Creek Sediment Basins, are in the City of Santa Barbara on Santa Barbara Airport property. Each location is described in the tables below and is shown on the Vicinity Map on Page 2.

Proposed Project Basins in City of Santa Barbara

Creek/Basin	Location (Dimension)	Volume (c.y.)	Removal Method
Tecolotito	In Tecolotito Creek immediately downstream of Hollister Avenue (8’ x 100’ x 550’)	11,300	Dragline
Carneros	In Carneros Creek immediately downstream of Hollister Avenue (6’ x 60’ x 600’)	10,000	Dragline

Sediment Basins in the Goleta Slough outside City Jurisdiction

Creek/Basin	Location	Volume (c.y.)	Removal Method
Atascadero	In Atascadero Creek immediately downstream of Ward Drive	36,000	Hydraulic/ Dragline
San Jose	In San Jose Creek immediately downstream of cement channel along State Route 217	15,500	Hydraulic/ Dragline
San Pedro	In San Pedro Creek immediately downstream of James Fowler Road	19,400	Hydraulic/ Dragline

The Tecolotito and Carneros Creek basins are situated downstream of most urban development and upstream of most of the Goleta Slough, just south of Hollister Avenue. These locations are

uniquely situated to prevent upstream flooding in the City of Goleta and downstream sedimentation in Goleta Slough wetlands.

In 2006, the City of Santa Barbara widened the Tecolotito and Carneros Creek sediment basins as part of the Santa Barbara Airport Airfield Safety Projects when relocating the course of both creeks. These basins were widened to increase sediment retention and improve Flood Control District access. The Airfield Safety Projects reduced the amount of sediment collected by the Flood Control District because much of it was removed as part of construction of the new creek alignment.

The District prepares annual maintenance plans and updates environmental review every ten years. The City of Santa Barbara issued a permit for dredging in the Tecolotito and Carneros Creek Sediment Basins in 2000. That permit expired in November 2010.

V. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Seth Shank, Santa Barbara County Flood Control		
Property Owner:	City of Santa Barbara, Airport Department		
Site Information			
Parcel Number: 073-450-003	Tecolotito Basin Area: 55,000 square feet (s.f.) Carneros Basin Area: 36,000 s.f.		
General Plan: Major Public and Institution/Recreational Open Space	Zoning: A-I-1, G-S-R, S-D-3		
Existing Use: Sediment basins	Topography: 1% slope		
Adjacent Land Uses			
North – Office Commercial		East – Aviation Facilities/Light Industrial	
South – Goleta Slough/Airfield		West – Office Commercial	

VI. ISSUES

While the Final SEIR covers a number of topics, Staff recommends that the Planning Commission focus on the issues of Air Quality, Biological Resources and Aesthetics, which are described in detail in this Staff Report. Staff has identified these as important issues because they present significant, unavoidable environmental impacts.

VII. ENVIRONMENTAL REVIEW

A. FINAL SUBSEQUENT ENVIRONMENTAL IMPACT REPORT (FINAL SEIR)

On November 9, 2010 the Board of Supervisors of the County of Santa Barbara convened as the Santa Barbara County Flood Control and Water Resources District Board of Directors and, acting as lead agency, certified the Flood Control Maintenance Activities in the Goleta Slough Final Subsequent Environmental Impact Report (Final SEIR) (Exhibit E). The Board of Supervisors identified nine significant, unavoidable impacts (Class I) associated with these activities, seven of which would occur with implementation of those portions of the project within City of Santa Barbara jurisdiction (Exhibit F). Additionally, several other impacts were

reduced to less-than significant with mitigation incorporated (Class II). A table of each impact and corresponding mitigation measure is included in the Executive Summary for the Final SEIR (Exhibit D). The County Board of Supervisors approved the project with a statement of overriding considerations and concluded that the environmental impacts associated with the project were mitigated to the maximum extent feasible with the implementation of a mitigation monitoring program and that no feasible alternatives or mitigation measures are available to avoid the Class I impacts associated with the project (Exhibit F).

1. SIGNIFICANT, UNAVOIDABLE IMPACTS (CLASS I)

a. Air Quality

Dragline desilting would result in temporary emissions of reactive organic compounds (ROCs) and nitrogen oxide (NO_x) (Impacts AQ-1A and AQ-1B) that are produced by the dredging equipment. These emissions would interfere with attainment of the ozone (O₃) standard and would exceed the Santa Barbara County Air Pollution Control District New Source Review Rule. Mitigation Measures MM AQ-1A and MM AQ-1B (Condition B-9 in Exhibit A) would reduce these impacts, but the residual impact would remain significant. No other feasible measures are available to reduce emissions below levels of significance.

b. Biological Resources

Dragline desilting would impact the federally-endangered tidewater goby and its habitat. Tidewater goby feed on ostracods, amphipods, mysid shrimp, and midge larvae by plucking prey from the creekbed, sifting sediment in their mouths, and capturing prey in the water. Desilting would result in direct removal of prey and elevated turbidity and siltation, which would impact both the survival of prey and the foraging success of the tidewater goby. Desilting activities typically take one month to complete, and in peak desilting years would affect much of the tidewater goby habitat in the Goleta Slough. Maintenance effects are known to persist for several months to several years. Thus tidewater goby “takings” (i.e. deaths) would potentially occur due to starvation, capture during desilting operations, or direct impact from desilting equipment (Impact BIO-2 and Impact CUM-8). Mitigation Measure MM BIO-2 (Condition B-10 in Exhibit A) including timing and phasing of desilting, would reduce the likelihood of impacts to tidewater goby to the extent feasible. However, the creeks proposed for desilting are too large to make it possible to capture and relocate all gobies within the drainages without some mortality or injury. The residual project level and cumulative impacts would remain significant.

Fuel and hydraulic fluids that are used in desilting equipment have the potential to spill and could result in a significant impact to wildlife, vegetation, and birds (Impact BIO-12). A Spill Prevention Plan would be prepared as required under Mitigation Measure MM PBIO-12 (Condition B-13 in Exhibit A). The plan will mitigate to the extent feasible the likelihood of a large spill, but can not eliminate the threat of a spill completely. Therefore, the residual impact would remain significant. No other feasible mitigation measures are available to further mitigate this impact.

While not occurring directly in City jurisdiction, it should be noted that the Final SEIR identifies potential significant, unavoidable impacts associated with disposal of dredged sediment at the Foothill Landfill that would result in the removal of coast live oak trees originally planted at the Foothill Disposal site for screening purposes. The County Board of Supervisors has required oak tree replacement as part of their approval and has found that no feasible mitigation measures or alternative disposal locations exist to avoid significant biological impacts.

c. Aesthetics

Dragline operations conducted along Tecolotito and Carneros Creeks would be partially visible at right angles from specific locations along Hollister Avenue in the City of Santa Barbara (Impact AEST-3 and Impact CUM-3). Additionally sediment hauling would result in truck trips along Hollister and Fairview Avenues to one of two off-site disposal locations; Goleta Beach (Impact AEST-4) and the Closed Foothill Landfill (Impact AEST-5). Due to the sensitivity of the Goleta Slough and the inclusion of Hollister Avenue as a scenic corridor in the City of Goleta General Plan, the viewshed is considered visually sensitive in that it provides visual relief to the surrounding urban setting. These operations would be temporary but recurrent and would persist for as long as a month at a time. The Final SEIR found no feasible mitigation measures to color, screen, or reduce the visual characteristic of the desilting or sediment hauling operations.

While not occurring directly in the City's jurisdiction, it should be noted that the Final SEIR identifies two Class I unavoidable impacts associated with the visual impacts of transporting and stockpiling dredged sediment at Goleta Beach and Foothill Landfill. The County Board of Supervisors have found that there are no feasible mitigation measures or alternatives to the project that would avoid this significant visual impact while still meeting the objectives of the project.

2. LESS-THAN SIGNIFICANT IMPACTS WITH MITIGATION INCORPORATED (CLASS II)

The Final SEIR identified 19 significant impacts that could be mitigated to less than significant through the incorporation of mitigation measures. Of these, 11 would occur in whole or in part to air, water, cultural, and biological resources within the City of Santa Barbara. Each relevant mitigation measure is incorporated into the Conditions of Approval (Exhibit A).

3. ALTERNATIVES

An alternative location for the desilting of Tecolotito and Los Caneros Creeks is not feasible because the settlement basins in those creeks currently exist and it is preferable to locate the basin as close to the saltwater/freshwater interface as possible because that is where the material settles out first. The use of a floating hydraulic dredge instead of a dragline dredge would reduce the overall needed dredging time associated with the project. However, the basins at Tecolotito and Los Carneros creeks were designed to be maintained using dragline equipment and it would not be economically or technically feasible to extend the pipelines needed for a hydraulic dredge from the basins to potential deposition sites. Additionally, the basins have already been widened and designed to minimize the amount

of maintenance desilting that is needed. There are, therefore, no feasible alternatives to the proposed project that would be environmentally superior or avoid significant environmental impacts while still meeting the flood control objectives of the project.

VIII. POLICY AND ZONING CONSISTENCY ANALYSIS

Both sediment basins are in the Appealable Jurisdiction of the California Coastal Zone which is administered by the City of Santa Barbara's Local Coastal Program. The Tecolotito Creek Sediment Basin is in the Goleta Slough Reserve Zone (G-S-R) and the Carneros Creek Sediment Basin is in the Airport Industrial Zone (A-I-1).

A. LOCAL COASTAL PROGRAM (S-D-3)

The Airport and Goleta Slough Coastal Plan identifies this activity as vital to the survival of the Goleta Slough as a coastal wetland. Generally the Plan considers Flood Control maintenance of the sediment basins as part of the existing condition of the Slough.

1. BIOLOGICAL RESOURCES

Policy C-12 of the Plan states that new development shall be sited to protect water quality and minimize impacts to coastal waters by limiting disturbance of natural drainage features, vegetation, and storm water quality while also minimizing impervious surfaces. The proposed dredging project requires work to occur within the creek bed. The sediment basins were sited as far upstream as feasible to maximize the benefit of sediment removal in Goleta Slough wetlands. With incorporation of Condition of Approval A-2 (Exhibit A), no permanent loss of native vegetation would occur. Therefore the proposed project is consistent with Policy C-12.

2. FLOODING

Policies C-5 and C-7 of the Airport and Goleta Slough Coastal Plan and §30236 of the Coastal Act state that the City shall work with the County Flood Control District to permit sediment minimization measures in the Goleta Slough. The Plan further prescribes taking steps to ensure that the ongoing sedimentation removal program of the District at the Tecolotito and Carneros Creek settlement basins just south of Hollister Avenue continues on a regular basis. As the proposed project would serve this purpose, it is consistent with Policies C-5 and C-7.

3. CULTURAL RESOURCES

Policy F-3 of the Airport and Goleta Slough Coastal Plan states that new development shall protect and preserve culturally sensitive resources. No archaeological sites are known to occur at either sediment basin; however several are present within a quarter mile. Heritage Discoveries Inc. conducted a Phase I archaeological survey for the Final SEIR. The survey found no evidence of archaeological resources at either sediment basin. Mitigation Measures MM CR-5 and MM CR-7 (Condition B-7 in Exhibit A) provide procedures to avoid impacts in the event of an unanticipated cultural resource discovery. Therefore the proposed project is consistent with Policy F-3.

B. CALIFORNIA COASTAL ACT

The Coastal Act defines land within the Coastal Zone as part of a valuable natural resource of vital and enduring interest to all the people. The Coastal Act prescribes policies for protecting the Coast through environmental protection and land-use restrictions.

1. ENVIRONMENTALLY SENSITIVE HABITAT AREAS

The California Coastal Act requires that environmentally sensitive habitat areas be protected (Public Resources Code [PRC] §30240). The regular maintenance of the sediment basins protects the Goleta Slough from gradual filling by sedimentation. Though this activity impacts environmentally sensitive habitat areas while it is underway, the results protect the entire Goleta Slough for years at a time. Therefore the proposed project is consistent with this policy.

2. FLOODING

California Coastal Act §30236 states that substantial alterations to rivers or streams are only allowed for flood control or water supply projects necessary to protect public safety and existing development. It further states that alterations must incorporate the best mitigation measures feasible. The proposed project would not substantially alter Tecolotito and Carneros Creeks, as the sediment basins are currently routinely dredged. Nonetheless the proposed project would protect public safety and existing development and would incorporate the best mitigation measures feasible. Therefore the project would be consistent with this policy.

3. DIKING, DREDGING, FILLING, AND SHORELINE STRUCTURES

The Coastal Act limits the dredging and filling of coastal waters (PRC §30233). The proposed project would constitute dredging; however the purpose of the project is in part to prevent the filling of coastal waters. All spoils would be hauled off-site. Therefore the project would be consistent with this policy.

4. COASTAL VISUAL RESOURCES

California Coastal Act states that coastal scenic visual resources shall be protected (PRC §30251). The proposed project would present an infrequent obstruction to the scenic views afforded to the Goleta Slough from Hollister Avenue, a designated scenic road in the City of Goleta General Plan. While the view would be occasionally interrupted during dredging activities, the quality of the resource being viewed would be maintained by the proposed project. Therefore, the project would be consistent with this policy.

C. GOLETA SLOUGH RESERVE ZONE (G-S-R)

The Tecolotito Creek Sediment Basin is in the Goleta Slough Reserve Zone (G-S-R) (SBMC 29.25). The intent of this zone is to ensure that any development in any wetland area is designed to preserve or improve habitat value. The G-S-R allows for the issuance of a Goleta Slough Coastal Development Permit for flood control projects where no other method for protecting existing structures in the flood plain is feasible and where such protection is necessary for public safety or to protect existing development. The proposed project would occur entirely within the existing sediment basins which were designed and permitted specifically for this activity. The proposed project is scaled to the minimum size required and would incorporate mitigation measures as provided in the Final Subsequent Environmental Impact Report. Therefore the proposed project is consistent with the intent of the G-S-R.

D. AIRPORT INDUSTRIAL ZONE (A-I-1)

The Carneros Creek Sediment Basin is in the Airport Industrial Zone (A-I-1) (SBMC 29.21). The intent of this zone is to provide area for light industrial and manufacturing uses. The Carneros Creek Basin is located between the Airport Maintenance Yard and several light industrial and aviation facilities-related uses. The Airport Zoning Ordinance gives the Planning Commission discretion to approve uses it deems appropriate in this zone. As the proposed project would reduce flood hazards and would provide protection to wetland habitat, it would be appropriate for the site.

IX. FINDINGS

Staff recommends the Planning Commission find the following:

A. FINAL SUBSEQUENT ENVIRONMENTAL IMPACT REPORT CONSIDERED (CEQA GUIDELINES §15096 AND §15091)

1. The Planning Commission considered the Flood Control Maintenance Activities in the Goleta Slough Final Subsequent Environmental Impact Report (Final SEIR) certified by the Santa Barbara County Board of Supervisors on November 9, 2010.
2. The Planning Commission finds that the Final SEIR constitutes a complete, accurate, adequate, and good faith effort at full disclosure under the California Environmental Quality Act (CEQA) and has been completed in compliance with CEQA.
3. The Final EIR is available to the public at:

Water Resources Division
Santa Barbara County Public Works
123 E. Anapamu St.
Santa Barbara, CA 93101

And online at: <http://www.countyofsb.org/pwd/pwwater.aspx?id=21178>

4. The project would result in significant, unavoidable impacts (Class I) to air quality (Impacts AQ-A&B) as described in Section VII of the staff report. Mitigation measures (MM AQ-1A, MM AQ-1B) that reduce air pollution emissions to the extent feasible have been included as conditions of approval and incorporated into the project and mitigation monitoring plan. No other mitigations or alternatives are technologically feasible to further mitigate or avoid these impacts while still meeting the projects flood control objective.
5. The project would result in significant, unavoidable impacts (Class I) associated with the takings of the Federally-endangered tidewater goby (Impact BIO-2 and Impact CUM-8) and the potential for hazardous materials spill (Impact BIO-12) as described in Section VII of the staff report. Mitigation measures (MM BIO-2 and MM PBIO-12) that reduce these biological impacts to the extent feasible have been included as conditions of approval and incorporated into the project and mitigation monitoring plan. No other mitigation measures or alternatives

are technologically feasible to further mitigate or avoid these impacts while still meeting the projects flood control objective.

6. The project would result in significant, unavoidable impacts (Class I) associated with the aesthetic impacts of dredging operations (Impact AEST-3 and Impact CUM-3) as described in Section VII of the staff report. No mitigation measures or alternatives are technologically feasible to further mitigate or avoid these impacts while still meeting the projects flood control objective.
7. The project would result in significant, unavoidable impacts (Class I) associated with the aesthetic impacts of hauling of spoils to the closed Foothill landfill or Goleta Beach County Park (Impacts AEST-4 and AEST-5) and biological impacts of tree removal at Foothill Landfill (BIO-4) as described in Section VII. These impacts occur outside of the City of Santa Barbara jurisdiction. All feasible mitigation measures to lessen these impacts have either been approved by the County Board of Supervisors or can and should be approved by the City of Goleta. However, the Final SEIR identifies no feasible mitigation measures or alternatives to reduce these impacts to less than significant.
8. The project would result in significant, but mitigable impacts (Class II) to water resources, geologic resources, biological resources, risk of upset, and cultural resources as described in Section VII of the staff report and the Final SEIR. Mitigation measures identified in the FEIR within the responsibility and jurisdiction of the City of Santa Barbara that reduce these impacts to a less than significant level have been included as conditions of approval and incorporated into the project and mitigation monitoring plan. Mitigation measures identified in the Final SEIR that reduce these impacts to less than significant that are outside of the jurisdiction of the City of Santa Barbara have either already been adopted by the County of Santa Barbara or can and should be adopted by the City of Goleta.
9. A mitigation monitoring and reporting program for measures required in the project or made a condition of approval to mitigate or avoid significant environmental effects has been prepared.
10. The California Department of Fish and Game (DFG) is a Trustee Agency with oversight over fish and wildlife resources of the State. The DFG collects a fee from project proponents of all projects potentially affecting fish and wildlife, to defray the cost of managing and protecting resources. The project is subject to the DFG fee, and a condition of approval has been included which requires the applicant to demonstrate payment of the fee within five days of project approval.

B. STATEMENTS OF OVERRIDING CONSIDERATION (CEQA GUIDELINES §15093)

The Planning Commission has balanced the benefits of the project against the unavoidable environmental impacts and has concluded that the benefits of the proposed development outweigh the potentially significant air quality, biological resource, and aesthetic impacts to justify approval of the project. The Planning Commission makes the following Statements of

Overriding Consideration that warrant approval of this project notwithstanding the identified environmental impacts that are not mitigated:

1. Tecolotito and Carneros Creek carry large peak run-off volumes of water and debris from the hills and mountains north of the City of Goleta and the Santa Barbara Airport. Impervious surface and narrowed channels in the built-up environment in the City of Goleta further intensify the severity of flood hazard. Sediment build-up in these creeks threatens upstream communities in the City of Goleta, operations and public property at the Santa Barbara Airport, and vital wetland habitat in the Goleta Slough.
2. The Santa Barbara County Flood Control District has maintained flood mitigation activities in the Goleta Slough for over forty years. These activities cannot be left unmaintained without the creek channels becoming full of sediment, causing extensive flooding across the Goleta Valley, including businesses and public infrastructure in the City of Santa Barbara.
3. The Planning Commission recognizes the need to balance the projection of life and property from flooding against the protection of environmental resources. Mitigation Measures included in the Conditions of Approval (Exhibit A) reduce environmental impacts to the maximum extent feasible when weighed against legal, technical, social, and economic mandates relative to flood control protection.
4. The Planning Commission determines that the remaining unavoidable significant environmental effects are acceptable.

C. COASTAL DEVELOPMENT PERMIT (SBMC §28.44.150)

1. The project is consistent with the policies of the California Coastal Act, because it would protect coastal resources, public access to coastal resources, and minimize risks of life and property from flooding, as described in Section VIII of the staff report (Coastal Act Section 30253).
2. The project is consistent with all applicable policies of the City's Local Coastal Plan, all applicable implementing guidelines, and all applicable provisions of the Code, because it would prevent wetland habitat loss from sedimentation, as described in Section VIII of the staff report (Policies C-5 and C-12).

D. GOLETA SLOUGH COASTAL DEVELOPMENT PERMIT (SBMC §29.25.020)

1. The project is consistent with the policies of the California Coastal Act, because it has been designed to minimize environmental impacts to the extent feasible as described in Section VII of the staff report (Coastal Act Section 30236).
2. The project is consistent with all applicable policies of the City's Local Coastal Plan, all applicable implementing guidelines, and all applicable provisions of the Code, because it would be constructed in previously disturbed areas and advance the goal of sediment reduction in the Goleta Slough (Policy C-5), as described in Section VIII.B of the staff report.

3. The project use is dependent upon the resources of the environmentally sensitive area, consistent with Section 30233 of the Coastal Act because the sediment basins were constructed in the Goleta Slough and no other site in the watershed provides a feasible alternative, as described in Section IV of the staff report and Section 2.3 of the Final SEIR.
4. The project has been designed to prevent impacts which would significantly degrade environmentally sensitive habitat by incorporating mitigation measures that reduce environmental impacts to the maximum extent feasible, such as incorporating tidewater goby refuge and a spill prevention plan, as described in Section VII.A.1 of the staff report and Section 5.4.2.3 of the Final SEIR.
5. The project maintains all existing 100 foot buffer areas between construction and delineated wetlands except where work must occur inside the creek. No permanent disruption will occur within any buffer areas.
6. The project will be carried out in a manner that will sustain the biological productivity of coastal waters and maintain healthy populations of all species of marine organisms by phasing and timing of desilting activities between the two basins so as to provide opportunities for refuge for tidewater goby and its prey, as described in Section VII.A.1 of the staff report and Sections 5.1.2.3 and 5.4.2.3 of the Final SEIR.
7. The project includes adequate impact avoidance and mitigation measures to ensure protection of rare, threatened, or endangered species that are designated or candidates for listing under State or federal law to the maximum extent feasible through the incorporation of Mitigation Measure MM BIO-2 and the Conditions of Approval, as described in Section VII.A.1 of the staff report and Section 5.4.2.3 of the Final SEIR.
8. There is no less environmentally damaging alternative to the proposed development, all feasible mitigation measures, tidewater goby refuge, spill prevention, and emission pollution prevention have been provided to minimize adverse environmental effects, and all dredged spoils shall be removed from the wetland area to avoid significant disruption to wildlife habitat and water circulation, as described in Sections VII and VIII.B.1 of the staff report and Section 6.4 of the Final SEIR.
9. Archaeological or other culturally sensitive resources within the Goleta Slough are protected from impacts with the implementation of Mitigation Measures MM CR-5 and MM CR-7, as described in Section 5.7.2.3 of the Final SEIR.
10. Sedimentation from the proposed development has been reduced to a minimum and is compatible with the wetland area, as described in Section VIII.B.3 of the staff report. Additionally the purpose of the de-silting project is to minimize sedimentation from off-site.
11. The project enhances public educational or recreational opportunities at the Goleta Slough by preventing the gradual sedimentation and resulting elimination of wetland habitat, thereby preserving it for future study and enjoyment.

Exhibits:

- A. Conditions of Approval
- B. Site Plan
- C. Applicant's letter, dated November 23, 2010
- D. Executive Summary of the Flood Control Maintenance Activities in the Goleta Slough Final Subsequent Environmental Impact Report (Final SEIR)
- E. Flood Control Maintenance Activities in the Goleta Slough Final SEIR (Compact Disc) (Also available at: <http://www.countyofsb.org/pwd/pwwater.aspx?id=21178>)
- F. Resolution 10-00997 of the Santa Barbara County Board of Supervisors certifying the Flood Control Maintenance Activities in the Goleta Slough Final SEIR
- G. Applicable Local Coastal Program Policies

PLANNING COMMISSION CONDITIONS OF APPROVAL

500 JAMES FOWLER ROAD
COASTAL DEVELOPMENT PERMIT
GOLETA SLOUGH COASTAL DEVELOPMENT PERMIT
MARCH 3, 2011

In consideration of the project approval granted by the Planning Commission and for the benefit of the applicant and the Santa Barbara Airport, the Santa Barbara County Flood Control District (District) and occupants of adjacent real property and the public generally, the following terms and conditions are imposed on the use of the project site:

- A. **Recorded Conditions Agreement.** Prior to implementation of the proposed maintenance activities, the District shall execute a written instrument, which shall be reviewed as to form and content by the City Attorney, Community Development Director and Public Works Director, and shall include the following:
 1. **Permits Prior to Construction.** Prior to implementation, staging, or dredging, the District will provide to the Community Development Department copies of a Streambed Alteration Agreement from the California Department of Fish and Game, a Clean Water Act Section 401 Water Quality Certification from the Regional Water Quality Control Board, and a Clean Water Act Section 404 Permit from the United States Army Corps of Engineers issued for the project.
 2. **Permit Expiration.** The Goleta Slough Coastal Development Permit for this project shall be valid for a period of ten years following Planning Commission approval.
 3. **Plant Replacement.** All plants removed, killed, or damaged on the banks of the Tecolotito Creek and Carneros Creek sediment basins shall be replaced on-site on a one-for-one basis with identical species by the Airport Department's landscape contractor at the expense of the Flood Control District, in order to maintain the site's visual appearance and maintain the Airport Department's mitigation obligation for the Airfield Safety Projects.
 4. **Approved Activities.** The project approved by the Planning Commission on March 3, 2011 is limited to routine dredging of Carneros and Tecolotito Creek basins in the areas indicated on the site plan signed by the chairman of the Planning Commission on said date and on file at the City of Santa Barbara.
 5. **Uninterrupted Water Flow.** The District shall provide for the uninterrupted flow of water onto the Real Property including, but not limited to, swales, natural watercourses, conduits and any access road, as appropriate.
 6. **Mitigation Monitoring and Reporting Requirement.** The District shall implement the Mitigation Monitoring and Reporting Program (MMRP) for the project's mitigation measures, as stated in the Environmental Impact Report for the project.
 7. **Sampling and Analysis Plan (MM Project 1).** A Sampling and Analysis Plan shall be prepared and submitted to the Community Development Department for

review in accordance with ATSM and US Environmental Protection Agency guidelines.

- B. **Construction Implementation Requirements.** All of these construction requirements shall be carried out in the field by the District and/or Contractor for the duration of the project construction. Community Development Department staff shall review the plans and specifications to assure that they are incorporated into the bid documents, such that potential contractors will be aware of the following requirements prior to submitting a bid for the contract.
1. **Compliance with Airfield Access Regulations.** The District shall coordinate with the Santa Barbara Airport Security Operations Center (SOC) to gain access to the Carneros Creek sediment basin within the Airport Operations Area (AOA). Security screening for issuance of “access media” (i.e. badge) takes approximately 30 days. At least one person with a badge must be on site to escort contractors within the AOA at all times.
 2. **Haul Routes.** The haul route(s) for all construction-related trucks with a gross vehicle weight rating (GVWR) of three tons or more, entering or exiting the site, shall be approved by the Transportation Manager.
 3. **Traffic Control Plan.** All elements of the approved Traffic Control Plan shall be carried out by the Contractor.
 4. **Construction Parking/Storage/Staging.** Construction parking and storage shall be provided as follows:
 - a. During construction, free parking spaces for construction workers and construction shall be provided off-site in a location subject to the approval of the Public Works Director. Construction workers are prohibited from parking within the public right-of-way, except as outlined in subparagraph b. below.
 - b. Parking in the public right of way is permitted as posted by Municipal Code, as reasonably allowed for in the 2006 Greenbook (or latest reference), and with a Public Works permit in restricted parking zones. No more than three (3) individual parking permits without extensions may be issued for the life of the project.
 - c. Storage or staging of construction materials and equipment within the public right-of-way shall not be permitted, unless approved by the Transportation Manager.
 5. **Mitigation Monitoring Compliance Reports.** A copy of each compliance report submitted to the Planning and Development Department of the County of Santa Barbara shall be sent concurrently to the City Case Planner for review.
 6. **Graffiti Abatement Required.** District and Contractor shall be responsible for removal of all graffiti from construction equipment as quickly as possible. Graffiti not removed within 24 hours of notice by the Building and Safety Division may

result in a Stop Work order being issued, or may be removed by the City, at the District's expense, as provided in SBMC Chapter 9.66.

7. **Unanticipated Archaeological Resources Contractor Notification (MM CR-5 and MM CR-7).** Prior to the start of any excavation, contractors shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts associated with past human occupation of the parcel. If such archaeological resources are encountered or suspected, all work within fifty feet shall be halted immediately, the City Environmental Analyst shall be notified and the applicant shall retain an archaeologist from the most current City Qualified Archaeologists List. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City qualified Barbareño Chumash Site Monitors List, etc.

If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission within 24 hours. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

If the discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

8. **Repair Damaged Public Improvements.** Repair any damaged public improvements (curbs, gutters, sidewalks, roadways, etc.) subject to the review and approval of the Public Works Department per SBMC §22.60.090.
9. **Additional Measures to Reduce NO_x Emissions (MM AQ-1 A&B).**
 - Equipment meeting Tier 2 or higher emission standards will be used to the maximum extent feasible.
 - Engine size of equipment shall be the minimum practical size.
 - All portable construction equipment shall be registered with the State's portable equipment registration program or permitted by the District by September 18, 2008.
 - All diesel powered equipment used during the project will be fueled with 15 parts per million (ppm) sulfur diesel fuel.
 - Idling of heavy-duty trucks will be limited to 5 minutes.

- Heavy-duty diesel-powered equipment purchased for the project shall comply with federal and California diesel standards that are in force at the time of purchase.
 - Diesel oxidation catalysts (DOC), catalyzed diesel particulate filters (CDPF) or other Santa Barbara County Air Pollution Control District (SBCAPCD) approved emission reduction retrofit devices will be installed on applicable construction equipment during the project.
10. **Tidewater Goby Refuge (MM BIO-2).**
- Tecolotito Creek and Carneros Creek downstream of the basins provide high quality tidewater goby habitat and shall not be desilted.
 - Desilting at the Tecolotito and Carneros basins shall not be conducted simultaneously, to minimize total habitat disturbance in this part of the Slough.
11. **Breeding Bird Monitoring and Avoidance (MM BIO-13).** If desilting activities are anticipated to occur or extend into the bird breeding season (February 15 through August 1), breeding bird monitoring and avoidance shall be implemented, and include:
- A breeding bird survey shall be completed by a qualified biologist within all areas within 200 feet of desilting activities;
- Active nests shall be identified and monitored by a qualified biologist;
- If desilting activities are found to substantially affect breeding and/or foraging behavior at the nest site, a buffer shall be established by a qualified biologist and desilting work postponed within the buffer area until the nest is abandoned or young have fledged.
12. **District will Notify Planning Division of Project Activities and Scheduling to Reduce Cumulatively Considerable Impacts (MM CUM-2).** Prior to Project desilting, beach replenishment or sediment removal activities, the District will notify the Planning Division to ensure that cumulatively considerable impacts to resource areas would be reduced through Project timing.
13. **Best Management Practices (BMPs) (MM WR-1) and Spill Prevention Plan (MM PBIO-12).** Prior to implementation of the project, a site-specific emergency spill contingency plan for hydraulic and drag-line dredging shall be developed and implemented. The District shall define and implement all of its existing and proposed BMPs designed to prevent the introduction of pollutants to surface waters including but not limited to: sediment, trash, fuels, and chemicals. These should include, but are not limited to the following, some of which may be added to the Spill Prevention Plan.
- All fueling of vehicles and heavy equipment shall occur in designated areas. Designated areas shall include spill containment devices (e.g. drain pans) and absorbent materials to clean up spills.

- Vehicles and equipment shall be maintained properly to prevent leakage of hydrocarbons and other fluids, and shall be examined for leaks on a daily basis. All maintenance shall occur in designated areas, which shall include spill containment devices and absorbent materials to clean up spills.
- Any accidental spill of hydrocarbons or other fluids that may occur at the work site shall be cleaned immediately. Spill containment devices and absorbent materials shall be maintained on the work site for this purpose. The Governor's Office of Emergency Services (OES) shall be notified immediately in the event of a reportable quantity of accidental spill to ensure proper notification, clean up, and disposal of waste.
- Waste and debris generated during construction shall be stored in designated waste collection areas and containers away from drainage features, and shall be disposed of regularly.
- Convenient, portable sanitary/septic facilities shall be provided during construction activities. These facilities shall be well maintained and serviced, and waste shall be treated and disposed of in accordance with state and local requirements.
- Storm water BMP material will be used around the construction area perimeters during construction and around any construction operations that could potentially generate waste.

C. **California Department of Fish and Game Fees Required.** Pursuant to Section 21089(b) of the California Public Resources Code and Section 711.4 et. seq. of the California Fish and Game Code, the approval of this permit/project shall not be considered final unless the specified Department of Fish and Game fees are paid and filed with the California Department of Fish and Game within five days of the project approval. The fee required is \$2,839.25 for projects with Environmental Impact Reports. Without the appropriate fee, the Notice of Determination cannot be filed and the project approval is not operative, vested, or final. The fee shall be delivered to the Planning Division immediately upon project approval in the form of a check payable to the California Department of Fish and Game.

D. **Litigation Indemnification Agreement.** In the event the Planning Commission approval of the Project is appealed to the City Council, the District hereby agrees to defend the City, its officers, employees, agents, consultants and independent contractors ("City's Agents") from any third party legal challenge to the City Council's denial of the appeal and approval of the Project, including, but not limited to, challenges filed pursuant to the California Environmental Quality Act (collectively "Claims"). Applicant/District further agrees to indemnify and hold harmless the City and the City's Agents from any award of attorney fees or court costs made in connection with any Claim.

Applicant/District shall execute a written agreement, in a form approved by the City Attorney, evidencing the foregoing commitments of defense and indemnification within thirty (30) days of the City Council denial of the appeal and approval of the Project. These commitments of defense and indemnification are material conditions of the approval of the Project. If Applicant/District fails to execute the required defense and indemnification

agreement within the time allotted, the Project approval shall become null and void absent subsequent acceptance of the agreement by the City, which acceptance shall be within the City's sole and absolute discretion. Nothing contained in this condition shall prevent the City or the City's Agents from independently defending any Claim. If the City or the City's Agents decide to independently defend a Claim, the City and the City's Agents shall bear their own attorney fees, expenses, and costs of that independent defense.

NOTICE OF COASTAL DEVELOPMENT PERMIT TIME LIMITS:

Pursuant to Section 28.44.230 of the Santa Barbara Municipal Code, work on the approved development shall commence within two years of the final action on the application, unless a different time is specified in the Coastal Development Permit. Up to three (3) one-year extensions may be granted by the Community Development Director in accordance with the procedures specified in Subsection 28.44.230.B of the Santa Barbara Municipal Code.



Exhibit B

Sediment Basins and Stockpiling Areas in the Goleta Slough



RECEIVED
NOV 29 2010
CITY OF SANTA BARBARA
PLANNING DIVISION

Santa Barbara County Public Works Department
Flood Control  Water Agency

November 23, 2010

Community Development Department
Planning Division
P.O. Box 1990
Santa Barbara, CA 93102-1990

Attn: Danny Kato

Re: Goleta Slough Dredging Project

Dear Mr. Kato:

The Santa Barbara County Flood Control District (District) has been conducting routine flood control maintenance activities in the Goleta Slough consisting of five creeks (Atascadero, San Jose, San Pedro, Los Carneros, and Tecolotito creeks) for over 40 years. In 1993 a Program EIR was approved that outlined desilting activities using either hydraulic dredge or dragline dredging techniques. This PEIR also identified Goleta Beach as a discharge point for the dredged sediment to facilitate beach nourishment and reduce problematic beach erosion. This proposed project is a continuation of the activities that were started with the 1993 PEIR.

A Subsequent EIR has been prepared to update the analyses provided in the PEIR to assess changes in the environmental and regulatory conditions since the time the PEIR and a 2000 supplemental EIR were prepared. Since that time various environmental and regulatory changes in the Project setting have occurred. The 2010 SEIR also addresses specific elements of the flood control activities in the Goleta Slough that were not addressed in the PEIR or 2000 SPEIR.

Updated program objectives consist of:

- Updated Project description information: desilting practices, incorporation of construction best management practices, and recognized/administered permit conditions of approval based on past 15 years of sediment removal maintenance experience (defined further in Section 3.2 of the 2010 SEIR).

Exhibit C

- Establishment of a construction working window (desilting from September 15th – March 31st, beach replenishment from September 15th – May 15th and upland reuse/disposal year-round [if required]) based on past experience that will minimize potential environmental impacts while utilizing the time frame appropriate to perform maintenance activities in a manner that will optimize efficiency of proposed desilting operations and potential beach replenishment opportunities (defined further in Section 3.3 of the 2010 SEIR).
- Construction timing and coordination of desilting activities/pre-project mitigations in relation to established practices with respect to endangered/threatened species of special concern (such as California Steelhead and Tidewater Goby) (defined further in Section 3.3 of the 2010 SEIR).
- Development of a Sampling and Analysis Plan that will establish pre-project sampling requirements and protocol and will further define parameters of beneficial re-use of materials for beach replenishment (including fines up to 50 percent) versus other disposal options (defined further in Section 3.4 of the 2010 SEIR).
- Establishment of upland sediment disposal/restoration site at the closed Foothill Landfill (defined further in Section 3.5 of the 2010 SEIR).
- Provide an opportunity for further creek enhancement through re-vegetation at several locations and improved fish passage within Atascadero Creek (defined further in Section 3.6 of the 2010 SEIR).

Dredging occurs on an as needed basis. Since 2000, dredging has been conducted by the District in 2000 (24,997 c.y.), 2001 (61,000 c.y.), 2003 (20,000 c.y.), Storm 2005 (177,000 c.y.), 2006 (10,000 c.y.), 2008 (19,000 c.y.), and in 2009/10 (20,400 c.y.). Considering the extreme flood years of 1995, 1998, and 2005 dredging occurs on a 3-5 year basis. It is infeasible to dredge more than approximately 250,000 c.y. in any given year.

Resolution No. 049-00 expired November 2, 2010. A letter was sent November 24, 2009 requesting an extension to the current resolution to March 2011. No correspondence was received after submittal of this letter. The District would like to have a new permit by March 2011 to potentially implement maintenance in 2011.

Please call Seth Shank at (805) 568-3443, or Maureen Spencer at (805) 568-3437 to discuss this project if you have any questions regarding the new SEIR, or if you have not received a copy of the 2010 SEIR. It can also be found online here: <http://www.countyofsb.org/pwd/pwwater.aspx?id=21178>.

Sincerely,



Seth Shank
Environmental Planner



EXECUTIVE SUMMARY

This section provides a summary of the document, including: the purpose of this EIR, a description of the proposed Project, and the major findings of the document. It includes discussions of effects found not to be significant, those found to be significant, and the recommend mitigation measures. This section also includes brief analyses of alternatives to the proposed Project, including identification of the environmentally superior alternative. A description of any known areas of controversy surrounding the Project, and the environmental review process are provided.

PURPOSE OF THE SEIR

This ~~Final Draft~~ Subsequent Environmental Impact Report (SEIR) is an informational document prepared in accordance with the California Environmental Quality Act, Public Resources Code Sections 21000, et seq. (CEQA). It is intended to provide to decision-makers and the public supplemental environmental information concerning the Santa Barbara County Flood Control and Water Conservation District (District) Flood Control Maintenance Activities in the Goleta Slough, which included ongoing maintenance of five creeks in the Goleta Slough.

The County of Santa Barbara Board of Supervisors (Board) is the decision-making body for the proposed Project. In early 1994, the Board certified the Final Program Environmental Impact Report/Draft Environmental Assessment for Routine Maintenance Activities in the Goleta Slough (PEIR). The PEIR was identified as 93-EIR-4, 92-CP-28. The PEIR was used by numerous resource and planning agencies in support of their decision-making concerning permits required in order for the District to implement the flood control maintenance activities in the Goleta Slough. In September 2000, a supplement to the Program EIR (SPEIR) was written to support renewal of permits for continuance of routine maintenance activities.

This SEIR has been prepared to update the analyses provided in the PEIR to assess changes in the environmental and regulatory conditions since the time the PEIR and SPEIR were prepared. The SEIR also addresses specific elements of the flood control activities in the Goleta Slough that were not addressed in the PEIR or SPEIR. These include:

- Specific proposal for the continued use of hydraulic and dragline desilting (as fully described in Section 3.2);
- Proposed minor revisions to the location of Project staging and stockpiling areas (as fully described in Section 3.2);
- Proposed minor revisions to the timing of Project operations (as fully described in Section 3.3);
- Proposed defined pre-project sediment sampling and analysis plan (SAP) (as fully described in Section 3.4.1);
- Proposed pre-project biological surveys (as fully described in Section 3.4.1);



- Proposed increase in sediment use for beach replenishment (as fully described in Section 3.5.1);
- Proposed optional use of the closed Foothill Landfill for sediment disposal (as fully described in Section 3.5.2 and 3.5.3); and
- Proposed Project enhancement location areas (as fully described in Section 3.6);

While this document updates the PEIR/EA and SPEIR, those documents remain valid and useful as further supplemented by this SEIR. A copy of these documents can be referenced within Appendices B and C, attached.

This document meets the criteria of CEQA Guidelines Section 15162. CEQA Guidelines Section 15162, Subsequent EIRs and Negative Declarations, requires the preparation of a Subsequent EIR under conditions described below.

When an EIR has been certified or a negative declaration adopted for a project, a subsequent EIR shall be prepared for that project if the lead agency determines, based on substantial evidence in the light of the whole record, one or more of the following:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or ND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or ND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the ND was adopted, shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous EIR or ND;
 - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or



- d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

The new information concerning the proposed Project is defined above. Additionally, the PEIR/EA was prepared over 15 years ago and the SPEIR over nine years ago. Since that time various environmental and regulatory changes in the Project setting have occurred. This SEIR considers all of these factors.

PROJECT ELEMENTS

As indicated above, the District has historically been conducting routine flood control maintenance activities in the Goleta Slough inclusive of five creeks (Atascadero, San Jose, San Pedro, Los Carneros and Tecolotito creeks). The proposed Project is a continuation of these activities. The existing and proposed flood control activities include:

- Dredging of the creeks using either hydraulic or dragline methods;
- Stockpiling of sediment;
- Disposal of sediment either for beach nourishment, or at an upland reuse/disposal; and
- Enhancement of specific areas affected by flood control activities.

The original objectives of the flood control maintenance program include the following which remain objectives of the current Program.

- Removing sediments that would otherwise fill the slough and diminish the biological productivity of the marsh habitat;
- Increasing the creeks' capacity to convey flood flows, thereby decreasing the potential for frequent inundation of large areas adjacent to the slough, including the airport residences and streets;
- Increasing the tidal prism, thereby helping to keep the mouth of the slough open naturally and permitting a healthy exchange of water in the slough; and
- Replenishing a local beach, that receives heavy use through the replacement of eroded sand.

Specific additional elements and objectives of the flood control maintenance program are proposed as summarized above and described in detail in Section 3.0 - Proposed Updated Maintenance Program, of this EIR.



ENVIRONMENTAL IMPACTS AND MITIGATION

This SEIR identifies and analyzes the potentially significant environmental impacts associated with the implementation of the Goleta Slough flood control maintenance activities. The impact analysis is based on information provided by District staff, as well as supplementary investigations and research conducted by the SEIR preparers.

Where the PEIR identified significant impacts and provided mitigation measures that are still appropriate, this SEIR considers the mitigation measures from the PEIR and SPEIR (that were adopted by the County) as part of the Project. Additionally, the Project as presently proposed includes specific elements that serve to avoid or reduce impacts. Therefore, for the purposes of the SEIR, the Project is considered to be self mitigating for numerous environmental issues as fully defined herein.

The SEIR analyses indicate that the proposed Project would result in certain adverse environmental impacts; however, the majority of these impacts would not be significant and are summarized below. Impacts that were determined less than significant and did not require detailed analysis based upon an initial review are identified in Section 5.11 of this EIR and include impacts under the issue areas of: agricultural resources; mineral resources; population and housing; public services; and utilities and service systems. These impacts are not summarized further in this section. Potentially significant impacts have been identified for the issue areas of: water resources, air quality, geology, biological resources, risk of upset, cultural resources, and aesthetics as summarized below. Certain impacts of the proposed Project can not be reduced to a less than significant level with the implementation of mitigation measures. These unavoidable impacts occur for the issue areas of: air quality, biological resources, and aesthetics.

Table ES-1 presents a summary of impacts and mitigation measures for the proposed Project by issue area. Within each issue area each impact is described and classified, recommended mitigation is listed. Impacts and mitigation measures are identified by an abbreviation that corresponds to the subject issue (e.g., biological impacts are identified as BIO followed by a number). Mitigation measures are also identified by the abbreviation MM followed by an identifier designating if the measure is part of the current Project Description ("Project"), from the PEIR/EA ("P"), or from the SPEIR ("S") followed by the subject abbreviation (e.g., BIO-1). If there is no "Project" or "P", or "S" designation, the mitigation measure is a new one that has been developed as part of this SEIR process.

CUMULATIVE IMPACTS

A cumulative impacts analysis is provided in Section 7.0 of this SEIR and summarized below. This evaluation considers if the Project has possible environmental effects that are individually limited but cumulatively considerable when considered in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.



Table ES-1. Summary of Environmental Impacts for the Proposed Project

Impact Class I = Significant adverse impact that remains significant after mitigation. Only Class I impacts have residual impacts.
 II = Significant adverse impact that can be eliminated or reduced below an issue's significance criteria.
 III = Adverse impact that does not meet or exceed an issue's significance criteria.
 IV = Beneficial impact.

Impact No.	Impact	Impact Class	Recommended Mitigation Measures
Section 5.1 - Water Resources/Flooding			
WR-1	Dredging activities have the potential to adversely impact inland surface water quality on a periodic basis.	II	MM Project-1: Sampling and Analysis Plan MM WR-1: Defined Best Management Practices (BMPs)
WR-2	Sediment stockpiling on creek banks and creek bank restoration activities will impact inland surface waters on a periodic basis.	II	MM PBIO-12: Spill Prevention Plan MM WR-1: Defined Best Management Practices (BMPs)
WR-3	Possible leaks and spills of fuel, oil and other constituents associated with equipment use and maintenance have the potential to impact inland surface water quality.	II	MM PBIO-12: Spill Prevention Plan MM WR-1: Defined Best Management Practices (BMPs)
WR-4	Dredging and creek restoration activities will reduce erosion and sedimentation of creeks from a long-term perspective.	IV	None required.
WR-5	Deposit of sediment at the closed Foothill Landfill Sediment Disposal/Restoration Site may benefit water quality by increasing the cap over landfill waste.	IV	None required.
WR-6	Project activities would result in less than significant impact on surface water quantity.	III	None required.
WR-7	Project activities would result in less than significant impact on groundwater quality.	III	None required.
WR-8	Project activities would result in less than significant impact on groundwater quantity.	III	None required.



Impact No.	Impact	Impact Class	Recommended Mitigation Measures
WR-9	Flooding hazards would be reduced by the Project.	IV	None required.
WR-10	Degradation of marine water quality would result from discharge of dredged sediment.	III	MM SWR-1: Post Advisories
WR-11	Degradation of marine water quality would result from accidental discharge of fuel or other petroleum products.	II	MM Project 1: Sampling and Analysis Plan MM PBI0-12: Spill Prevention Plan MM WR-1: Defined Best Management Practices (BMPs)
Section 5.2 - Air Quality			
AQ-1A	Desilting Activities in the Goleta Slough may result in short-term Project-related air emissions during a "Typical Scenario."	I	MM PAQ-1 A&B: Efforts to Reduce NO _x Emissions MM AQ-1 A&B: Additional Measures to Reduce NO _x
AQ-1B	Desilting Activities in the Goleta Slough may result in short-term Project-related air emissions during a "Worst Case Scenario."	I	MM PAQ-1 A&B: Efforts to Reduce NO _x Emissions MM AQ-1 A&B: Additional Measures to Reduce NO _x
AQ-2	Project activities may result in short-term emissions of fugitive dust.	III	MM PAQ-2: Efforts to Reduce Fugitive Dust Emissions MM AQ-2: Additional Measures to Reduce Fugitive Dust Emissions
AQ-3	Desilting Activities in the Goleta Slough may result in short-term odor impacts.	III	None required.
AQ-4	The Project would contribute Greenhouse Gas emissions	III	MM AQ-4: Measures to reduce GHG emissions
Section 5.3 - Geology			
GEO-1	Removal of creek over-sedimentation will alter existing creek channel structure.	III	None required.
GEO-2	Stockpiling of desilted material along creek banks may contribute to erosion/sloughing of soils.	III	None required.
GEO-3	Placement of sediment at Goleta Beach compatibility of material with beach sand.	III	MM Project-1: Sampling and Analysis Plan
GEO-4	Placement of Sediment at Goleta Beach effect on beach replenishment.	IV	None required.



Impact No.	Impact	Impact Class	Recommended Mitigation Measures
GEO-5	Sediment deposition in surf zone at Goleta Beach will alter existing nearshore sediment movement.	III	None required.
GEO-6	Opening of the Goleta Slough mouth will alter existing nearshore sediment transport.	III	None required.
GEO-7	Proposed Landfill Restoration Plan will alter existing topography and surficial features.	II	MM Project 2: Restoration/Revegetation Plan for the Proposed Sediment Disposal Areas at the Closed Foothill Landfill.
GEO-8	Restoration of the landfill may result in temporary erosion of soils.	III	MM Project 2: Restoration/Revegetation Plan for the Proposed Sediment Disposal Areas at the Closed Foothill Landfill
GEO-9	Altered fish barrier would be exposed to Geologic Hazards.	III	None required.
GEO-10	Addition of soils to be used as fill in other development projects or within alternate landfill site.	III	None required.
Section 5.4 - Biological Resources			
BIO-1	Desilting may adversely affect steelhead migration.	III	MM SBIO-1: Hydraulic Dredging Schedule. MM SBIO-2: Hydraulic Dredging Reduced Timing
BIO-2	Desilting may adversely affect survival and foraging of tidewater goby.	I	MM BIO-2: Tidewater Goby Refuge
BIO-3	Breaching the berm at the mouth of the Goleta Slough may result in mortality of tidewater goby.	III	None required.
BIO-4	Disposal of sediment at the closed Foothill Landfill Sediment Disposal/Restoration Site would result in the loss of about one hundred coast live oak trees.	I	MM BIO-4: Oak Tree Replacement
BIO-5	Desilting in Tecolotito and Carneros creeks would adversely affect invertebrates and fish, and remove vegetation.	III	None required.
BIO-6	Stockpiling of materials removed from Tecolotito and Carneros creeks would result in temporary loss of upland vegetation.	III	None required.



Impact No.	Impact	Impact Class	Recommended Mitigation Measures
BIO-7	Noise and human activities associated with dragline desilting in Tecolotito and Carneros creeks would disturb wildlife near the basins.	III	None required.
BIO-8	Impact BIO-8: De-silting in Atascadero, San Jose, San Pedro creeks and the Goleta Slough would adversely affect invertebrates and fish.	III	None required.
BIO-9	Desilting in Atascadero, San Jose, San Pedro creeks and the Goleta Slough would increase habitat available to fish and water-associated birds.	IV	None required.
BIO-10	Hydraulic dredging in Atascadero, San Pedro creeks and the Goleta Slough would remove vegetation from the streambed.	III	None required.
BIO-11	Noise and human activity associated with hydraulic dredging in Atascadero, San Jose and San Pedro creeks and the Goleta Slough would impact common wildlife species.	III	None required.
BIO-12	Spills of fuel or hydraulic fluid would adversely affect aquatic wildlife, vegetation and birds.	I	MM PBIO-12: Spill Prevention Plan
BIO-13	Desilting would disturb raptor and heron roosts, and swallow nesting.	II	MM PBIO-13: Time Restrictions or Monitoring MM BIO -13: Breeding Bird Monitoring and Avoidance.
BIO-14	Dredging near the mouth of the Slough and use of the booster pump may adversely affect brown pelican and Belding's savannah sparrow.	III	MM PBIO-14: Avoid Native Vegetation
BIO-15	Disposal of dredged sediments at Goleta Beach may adversely affect grunion spawning.	II	MM PBIO-15: Grunion Survey and Avoidance OR MM BIO-15: Grunion Surveys and Avoidance
BIO-16	Turbidity and siltation caused by disposal of dredged sediments at Goleta Beach may adversely affect sensitive nearshore marine habitats.	II	MM BIO-16: Marine Turbidity Plume Monitoring
BIO-17	Turbidity and siltation caused by disposal of dredged sediments at Goleta Beach would degrade water quality and adversely affect marine biological resource.	III	None required.



Impact No.	Impact	Impact Class	Recommended Mitigation Measures
Section 5.5 - Risk of Upset			
RU-1	The use, maintenance and fueling of equipment has the potential to result in the discharge of hazardous material to the environment from leaks and accidental spills.	II	MM PBIO-12: Spill Prevention Plan MM WR-1: Defined Best Management Practices (BMPs)
RU-2	Discharge of pesticides associated with restoration activities have the potential to significantly impact human and environmental health.	II	MM PBIO-12: Spill Prevention Plan MM WR-1: Defined Best Management Practices (BMPs)
RU-3	The Project would not impact school facilities.	III	None required.
RU-4	Impacts from upset and accident conditions from facilities proximate to the Project site on Project personnel are considered less than significant.	III	None required.
RU-5	Potential impacts associated with dredging effects on the pipeline supports are expected to be less than significant.	III	None required.
RU-6	The Project would result in less than significant impacts to human health and the environment in the event contaminated soils are identified through the sampling and analysis procedures implemented as part of the Project SAP (soil stockpiling and disposal issues only, water quality issues are addressed in Section 5.1 of this EIR).	III	MM Project 1: Sampling and Analysis Plan
RU-7	Impacts associated with airport safety (e.g., possible aircraft impact on Project operations) are considered less than significant.	III	None required.
RU-8	There are no elements of the Project that would adversely affect emergency response.	III	None required.
RU-9	The wildland fire impact of the Project is considered to be less than significant.	III	None required.



Impact No.	Impact	Impact Class	Recommended Mitigation Measures
Section 5.6 Noise			
NOI-1	Hydraulic desilting activities may increase noise levels during daytime hours near sensitive receptors.	III	Several measures from the PEIR are incorporated into the Project. MM PNOI-1a: Dredging timing limitation MM PNOI-1b: Public notification MM PNOI-1c: Proper equipment maintenance MM PNOI-1d: Booster pump noise reduction Measures provided by this SEIR. MM NOI-1a: Revised construction timing limitation MM NOI-1b: Construction notification MM NOI-1c: Booster pump noise reduction (second pump)
NOI-2	Hydraulic desilting activities may increase noise levels during nighttime hours near sensitive receptors.	III	Several measures from the PEIR are incorporated into the Project. MM PNOI-1a: Dredging timing limitation MM PNOI-1b: Public notification MM PNOI-1c: Proper equipment maintenance MM PNOI-1d: Booster pump noise reduction Measures provided by this SEIR. (revisions to PEIR measures) MM NOI-1a: Revised construction timing limitation MM NOI-1b: Construction notification MM NOI-1c: Booster pump noise reduction (second pump)
NOI-3	Dragline desilting activities may increase noise levels during daytime hours near sensitive receptors	III	MM PNOI-1c : Proper equipment maintenance
NOI-4	Closed Foothill Landfill Sediment Disposal/Restoration Site restoration activities may increase noise levels near sensitive receptors.	III	MM PNOI-1c : Proper equipment maintenance MM NOI-4a: Timing Restriction. MM NOI-4b: Public Notification
Section 5.7 - Cultural Resources			
CR-1	Dredging activities at Atascadero Creek have the potential to impact CA-SBA-45.	III	MM PCR-1a: Avoidance of SBA-45 and Locus 2 MM PCR-1b: Monitoring of Archaeological Sites



Impact No.	Impact	Impact Class	Recommended Mitigation Measures
CR-2	Project-related exposure of CA-SBA-45 may increase its exposure to unauthorized cultural artifact collectors.	II	MM PCR-1a: Avoidance of SBA-45 and Locus 2 MM CR-2a: Worker Cultural Orientation MM CR-2b: Demarcation of Archaeological Sites
CR-3	Dredging activities at Atascadero Creek, San Jose Creek and San Pedro Creek have the potential to impact CA-SBA-46.	III	MM PCR-1a: Avoidance of SBA-46 and Locus 2. MM PCR-1b: Monitoring of Archaeological Sites.
CR-4	Installation and removal of the pipeline for the Goleta Beach surf zone work associated with beach replenishment has the potential to impact CA-SBA-1695.	II	MM PCR-1b: Monitoring of Archaeological Sites. MM CR-2a: Worker Cultural Orientation.
CR-5	Project activities have the potential to disturb Native American human remains.	II	MM CR-2a: Worker Cultural Orientation MM CR-5: Proper Disposition of Human Remains
CR-6	Disposition of sediments for beach replenishment is not expected to impact significant offshore cultural resources.	III	None required.
CR-7	Impacts to previously unidentified cultural resources.	II	MM CR-7: Stop Work Order
Section 5.8 - Aesthetics			
AEST-1	Mobilization/Demobilization activities could adversely affect visual/aesthetic resources.	III	None required.
AEST-2	Hydraulic desilting activities could adversely affect visual/aesthetic resources.	I	No mitigation proposed.
AEST-3	Dragline desilting activities could adversely affect visual/aesthetic resources.	I	No mitigation proposed.
AEST-4	Transportation of sediment by truck to Goleta Beach could cause adverse impacts to visual/aesthetic resources.	I	No mitigation proposed.
AEST-5	Transportation of sediment by truck to the closed Foothill Landfill could adversely impact visual/aesthetic resources.	I	No mitigation proposed.



Impact No.	Impact	Impact Class	Recommended Mitigation Measures
AEST-6	Desilting operations occurring during nighttime hours could adversely impact visual/aesthetic resources.	III	None required.
AEST-7	Restoration at the closed Foothill Landfill could affect visual/aesthetic resources within the Project area on a short-term basis prior to establishment of vegetation.	III	None required.
AEST-8	Restoration activities at the closed Foothill Landfill would have a positive effect on the visual and aesthetic resources of the site on a long-term basis.	IV	None required.
AEST-9	Maintenance activities within the Goleta Slough and its tributaries would maintain the visual quality of the Goleta Slough in the long-term.	IV	None required.
Section 5.9 - Traffic/Circulation			
TRANS-1	Hydraulic desilting operations (requiring sediment piping directly to the surf zone at Goleta Beach for beach replenishment purposes) may temporarily affect transportation roadways within the Project area.	III	MM PTRANS-1: For all applicable sites a District or contractor employee would be available onsite to facilitate the safe entry and exit of construction vehicles along roadways adjacent to Project staging areas.
TRANS-2	Dragline desilting operations (requiring sediment to be transferred via truck to potential replenishment and/or disposal/restoration site may temporarily affect transportation roadways within the Project area.	III	MM PTRANS-1: For all applicable sites a District or contractor employee would be available onsite to facilitate the safe entry and exit of construction vehicles along roadways adjacent to Project staging areas.
Section 5.10 - Recreation			
REC-1	Stockpiling and desilting operations may result in impacts to recreational resources within areas adjacent to the Goleta Slough.	III	The following measures address parking lot impacts as fully assessed in the PEIR. MM PREC-1: Repair of impacted parking lot MM Project-3: Timing of dredging and staging operations
REC-2	Beach replenishment activities may result in impacts to recreational resources.	III	The following measures address parking lot impacts as fully assessed in the PEIR. MM PREC-1: Repair of impacted parking lot MM SWR-1: Post advisories MM Project 2: Sampling and Analysis Plan



Impact No.	Impact	Impact Class	Recommended Mitigation Measures
			MM Project-3: Timing of dredging and staging operations MM Project 4: Redirect public away from sediment release zone
REC-3	Transfer of desilted sediment by truck may interfere with recreational opportunities.	III	MM Project 2: Sampling and Analysis Plan MM Project-3: Timing of dredging and staging operations



Table ES-2. Summary of Cumulative Environmental Impacts for the Proposed Project

Impact Class I = Significant adverse impact that remains significant after mitigation. Only Class I impacts have residual impacts.
 II = Significant adverse impact that can be eliminated or reduced below an issue's significance criteria.
 III = Adverse impact that does not meet or exceed an issue's significance criteria.
 IV = Beneficial impact.

Impact No.	Impact	Impact Class	Recommended Mitigation Measures
Water Resources/Flooding			
CUM-1	Cumulative impacts could result in flooding. The Project's effect would be beneficial.	IV	None required.
CUM-2	Cumulative projects could result in short-term impacts to surface water quality in stream channels	II	PBIO-12: Spill Prevention Plan MM Project-1: Sampling Analysis Plan MM WR-1: Defined Best Management Practices MM CUM-2: District will notify appropriate agencies of Project activities and scheduling to reduce cumulatively considerable impacts.
CUM-3	Cumulative impacts could result in long-term impacts to water quality in stream channels.	IV	None required.
CUM-4	Cumulative impacts could result in turbidity of waters offshore of Goleta Beach.	III	MM CUM-2: District will notify appropriate agencies of Project activities and scheduling to reduce cumulatively considerable impacts.
CUM-5	Cumulative offshore water quality impacts could result from construction activities within Goleta Beach	II	PBIO-12: Spill Prevention Plan MM Project-1: Sampling Analysis Plan MM WR-1: Defined Best Management Practices MM CUM-2: District will notify appropriate agencies of Project activities and scheduling to reduce cumulatively considerable impacts.
Air Quality			
CUM-6	Cumulative air quality impacts would be less than significant	III	None required.
Cumulative impacts relating to global warming are discussed in Table ES-1			
Geology			



Impact No.	Impact	Impact Class	Recommended Mitigation Measures
No cumulative impacts.			
Biological Resources			
CUM-7	Project would result in a less than significant cumulative impact on flora fauna and the Goleta Slough ecosystem in general	III	None required.
CUM-8	The Project would result in cumulatively significant impacts to tidewater goby	I	MM BIO-2: Tidewater Goby Refuge
CUM-9	Cumulative development may result in significant cumulative impacts to grunion, nearshore marine habitats and biota	II	MM P BIO-16: Grunion Survey and Avoidance, or MM BIO 16: Grunion Surveys and Avoidance (alternative) MM BIO-17: Marine Turbidity Plume Monitoring
Risk of Upset			
No cumulative Impacts.			
Noise			
CUM-10	Cumulative noise impacts associated with stream channel maintenance would be less than significant	III	MM PNOI-1-a: Dredging timing limitation MM PNOI-1-b: Public notification MM PNOI-1-c: Proper equipment maintenance MM PNOI-1-d: Booster pump noise reduction MM NOI-1a: Revised construction timing limitation MM NOI1b: Construction notification
CUM-11	Cumulative noise impacts associated with beach nourishment activities would be less than significant	III	Same as for CUM-10
Cultural Resources			
CUM-12	Cumulative development has the potential to result in significant impacts to known and presently unidentified archaeological/cultural resources	II	MM PCR-1a: Avoidance of SBA-45 and Locus 2 MM CR-2a: Worker Cultural Orientation MM CR-2b: Demarcation of Archaeological Sites



Impact No.	Impact	Impact Class	Recommended Mitigation Measures
Aesthetic Resources			
CUM-13	Cumulative development would result in significant, unavoidable, adverse, short-term affects to sensitive viewsheds.	I	None proposed.
CUM-14	Cumulative impacts would result in significant, unavoidable, adverse short-term affects to sensitive viewsheds during disposal of sediments within Goleta Beach.	I	None proposed.
Traffic/Circulation			
CUM-15	The Project contribution to cumulative impacts on transportation roadways associated with beach nourishment would be less than significant.	III	MM CUM-2: District will notify appropriate agencies of Project activities and scheduling to reduce cumulatively considerable impacts.
CUM-16	The Project contribution to cumulative impacts on transportation roadways associated with transport of sediment to the closed Foothill Landfill would be less than significant.	III	MM CUM-2: District will notify appropriate agencies of Project activities and scheduling to reduce cumulatively considerable impacts.
Recreation			
CUM-17	Cumulative development would result in less than significant impacts on recreation in the Goleta Slough and Goleta Beach areas.	III	MM CUM-2: District will notify appropriate agencies of Project activities and scheduling to reduce cumulatively considerable impacts.



COMPARISON OF PROPOSED PROJECT AND ALTERNATIVES

A complete evaluation of alternatives to the Project is provided in Section 6.0 of this SEIR. The following summarizes the findings of Section 6.0 including a discussion of the alternatives and findings relating to the alternatives considered in the PEIR as well as additional alternatives considered in comparison to the Project as currently proposed.

The original PEIR considered the following alternatives:

- **Traditional Maintenance:** continuation of dragline desilting in all five creeks on an as-needed basis; with spoils deposited on creekbanks for removal by the public. The District would continue to open the mouth of the slough 1 to 3 times a year with a dozer or excavator to facilitate tidal influence. **Findings:** Mobilization and Demobilization would be as described for the proposed Project; however actual maintenance would take approximately twice as long because only 100 cubic yards of sediments per hour would be removed.
- **Beach Deposition:** Rather than being deposited in the surf zone, spoils from desilting of Atascadero, San Pedro, and San Jose creeks would be discharged directly on the beach just east of the mouth of the slough. **Findings:** A second booster pump would be needed because approximately 1,000 feet of additional pipeline would be required. The booster pump would be located in the immediate vicinity of Goleta Beach County Park.
- **Reduced Basin Size:** Reduced basin (desilting area) dimensions; factoring in a design to contain the average annual sediment load deposited over a 20 year period. Maintenance would be required yearly during typical weather conditions. **Findings:** Comparable to the proposed Project; however dredging would occur over a shorter period of time.
- **Increased Basin Size:** Increased basin (desilting area) dimensions for Atascadero, San Pedro, and San Jose creeks; based on historic records to contain approximately the heaviest sediment load expected during a year of unusually severe storms. **Findings:** Maintenance activities would be required less frequently than for the proposed action, but a larger area would be impacted and dredging would take longer than for the proposed Project.
- **Placing Discharge Pipelines on the Ground:** Placement of discharge pipelines on ground adjacent to channels rather than in the water. **Findings:** Comparable to the proposed Project; however half of the truck trips would be required due to elimination of floats.
- **No-Project Alternative (required to be considered under CEQA).** The Project activities would not be conducted. **Findings:** would avoid environmental impacts, but does not meet Project objectives to reduce flooding or maintain the Goleta Slough.



Based on the original findings, the maintenance activities proposed within the original PEIR were concluded to be the environmentally superior alternative. As such, the currently proposed Project would incorporate and improve upon the originally proposed maintenance plan.

Alternatives to the currently proposed Project and findings are summarized below.

- **No Project Alternative (required to be considered under CEQA)**: The No Project alternative would avoid all of the adverse impacts associated with the proposed Project. However, it would not provide the beneficial effects/objectives of the Project relating to flood control and environmental maintenance of the Goleta Slough and Beach.
- **Deeper Ocean Discharge Scenarios**: Deeper ocean discharge scenarios considered as alternative to the proposed Project include: 1) wastewater treatment outfall tie-in, 2) Goleta Pier pipeline alignment, and 3) Horizontal Directional Drilling (HDD) to a deeper outfall location. These scenarios would allow for sediment with a greater percentage of fines than currently proposed for beach replenishment to be discharged. **Findings**: The feasibility of the wastewater treatment outfall tie-in and Goleta Pier pipeline alignment are questionable. Construction of an ocean outfall utilizing HDD technology would require additional monitoring/contingency measures intended to protect the environment from the potential discharge of drilling fluid during installation. Because of feasibility issues, potential additional environmental impacts and the fact that under current conditions all of the sediment generated by the Goleta Slough desiltation activities that could be used for beach replenishment is not because some is needed for upland reuse, the benefit of a deeper ocean discharge alternative does not warrant detailed consideration at this time.
- **Eastern Discharge (Hydraulic Desilting Only)**. In the event that sediment testing levels are found to be in exceedance of established guidelines; the outfall discharge pipe during hydraulic desilting would be relocated to the eastern portion of Goleta Beach. By relocating the pipeline further east; the discharge point would avoid heavily utilized recreational areas. **Findings**: This alternative was determined not to substantially lessen potential impacts as compared to the proposed Project.
- **Western Discharge (Dragline Desilting Only)**. In order to replenish sand further west sediment removed during dragline desilting events may be trucked to a bluff location near the existing lift station and placed in the surf zone order to allow for greater availability of sand to the entire Goleta Beach sand cell. **Findings**: This alternative was determined not to substantially lessen potential impacts as compared to the proposed Project.
- **Upland Sediment Re-use/Disposal at the Tajiguas Landfill**. In the event that Foothill Landfill does not need the material, a second alternative would be to offer the material for re-use as cover at Tajiguas Landfill. **Findings**: Trucking of sediment to Tajiguas Landfill would result in associated increased air quality, noise, risk of upset, and traffic/circulation impacts as compared to the proposed Project option of trucking



sediment to approximately 5 miles from the Project areas to the closed Foothill Landfill for restoration.

Environmentally Superior Alternative. The CEQA Guidelines [section 15126.6 (d)] require that an EIR include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed Project. The Guidelines [Section 15126.6 (e)(2)] further state, in part, that “*If the environmentally superior alternative is the “No Project” alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.*” (Emphasis added).

The alternatives considered for placement and/or disposal or reuse of desilted sediment would not substantially lessen or fulfill the objectives of the proposed Project. As such, the proposed Project would remain the environmentally superior alternative.

KNOWN AREAS OF CONTROVERSY OR UNRESOLVED ISSUES

There are no presently known areas of controversy regarding the Project.

ENVIRONMENTAL REVIEW PROCESS

The County of Santa Barbara Flood Control and Water Conservation District is serving as the Lead Agency responsible for preparing this CEQA document in consultation with other agencies and the public. The County filed a Notice of Preparation (NOP) for a Draft Environmental Impact Report on the Project with the State Clearinghouse (SCH #2000031092) on January 20, 2009. The NOP review period began on January 20, 2009 and ended on February 18, 2009. The NOP was also filed at the County of Santa Barbara Clerk’s Office and distributed to federal agencies, local agencies, organizations and individuals known or expected to have an interest in the Project. The NOP briefly described the Project and issue areas of concern. Communications in response to the NOP were received from 10 parties identified as follows:

- United States Department of the Interior, Fish and Wildlife Service
- United States Department of Commerce, National Oceanic and Atmospheric Administration
- Native American Heritage Commission
- California Department of Fish and Game
- Santa Barbara County Air Pollution Control District
- Goleta Slough Management Committee - Pat Saley, AICP
- Heal the Ocean
- Santa Barbara Urban Creeks Council



- Santa Barbara Audubon Society, Inc.
- Environmental Defense Center - Brian Trautwein

Comments and identification of issues received by the District were considered and incorporated as appropriate during the preparation of the Draft SEIR.

FINAL DRAFT SEIR CONTENT AND AVAILABILITY

The ~~ED~~DSEIR includes an introductory discussion of the Project, description of the current routine maintenance program and proposed updated maintenance program (Sections 1.0 through 3.0). A discussion and analysis of land use effects of the Project and consistency with relevant plans and policies is provided in Section 4.0. Section 5.0 includes the setting discussions, impact evaluations and mitigation measures for the potentially affected resource areas (e.g., water resources, air quality, etc.) An evaluation of alternatives to the Project is provided in Section 6.0. The cumulative effects of the Project are described in Section 7.0. Growth inducement, irreversible and irretrievable commitment of resources and beneficial effects of the Project are discussed in Sections 8.0, 9.0, and 10.0 respectively. Relevant supporting data are provided as appendices to this document.

The **DSEIR was distributed and made** ~~is~~ available for public review for a period of 45 days as identified in the Notice of Completion sent to the State Clearinghouse pursuant to CCR Title 14, Division 6, Chapter 3, Section 15085, and the Notice of Availability prepared pursuant to CCR Title 14, Division 6, Chapter 3, Section 15087. ~~During this period, the public is invited to review and comment on this draft document.~~ The comments and formal responses to comments on the DSEIR ~~are~~**will be** provided in **Appendix G of** the Final SEIR (FSEIR). **Comments in response to the DSEIR were received from five parties including the following:**

- **Department of Transportation - Caltrans**
- **Department of Transportation - Division of Aeronautics**
- **California Regional Water Quality Control Board**
- **State Clearinghouse**
- **Santa Barbara County Air Pollution Control District**

Copies of the FSEIR ~~which~~ will be **distributed and** made available to the commenting parties and general public. The FSEIR must be considered by the decision-makers for all discretionary permits and entitlements required for execution of the Project.

Flood Control Maintenance Activities in the Goleta Slough Final Subsequent
Environmental Impact Report (Final SEIR)

Compact Disc

The Final SEIR is available on the Santa Barbara County Flood Control District website:

<http://www.countyofsb.org/pwd/pwwater.aspx?id=21178>

Exhibit E



Legislation Text

File #: 10-00997, **Version:** 1

Title

Acting as the Board of Directors, Flood Control and Water Conservation District:

Consider recommendations regarding the Final Subsequent Environmental Impact Report (Final SEIR) for Flood Control Maintenance Activities in Goleta Slough, as follows:

- a) Certify that the Final Subsequent Environmental Impact Report (SEIR), State Clearing House (SCH) No. 2000031092, for the Flood Control Maintenance Activities in Goleta Slough has been completed in compliance with the California Environmental Quality Act (CEQA);
- b) Certify that the Board has reviewed and considered the information contained in the Final SEIR, SCH No. 2000031092, as well as information presented during the public hearing prior to the approval of the project, and adopt the CEQA Findings and Statement of Overriding Considerations;
- c) Approve the project identified as the preferred alternative (Proposed Project) in the Final SEIR, SCH No. 2000031092;
- d) Adopt the preferred project description (Proposed Project) and mitigation measures, with their corresponding monitoring requirements, as the Mitigation Monitoring Program for this project; and
- e) Direct the District to apply for local, State, and Federal permits to the extent required by law for implementation of the project.

Attachment 2

1.0 CEQA FINDINGS

1.1 CEQA FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS

FINDINGS PURSUANT TO PUBLIC RESOURCES CODE SECTION 21081 AND THE CEQA GUIDELINES SECTIONS 15090 AD 15091:

A. CONSIDERATION OF THE SEIR

The Final Supplemental Environmental Impact Report (FSEIR) SCH No. 2000031092), was presented to the Board of Directors and all voting members of the Board have reviewed and considered the SEIR, SCH No. 2000031092, and its appendices prior to approving this proposal. In addition, the Board has been informed that no public testimony was received during the public hearing held on April 12, 2010.

B. FULL DISCLOSURE

The Board of Directors finds and certifies that the Final Supplemental EIR constitutes a complete, accurate, adequate, and good faith effort at full disclosure under CEQA, and represents the independent judgment of the Board of Directors. The Board further finds and certifies the Final SEIR has been completed in compliance with CEQA and is adequate for this project.

C. LOCATION OF DOCUMENTS

The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Deputy Director of the Water Resources Division, Santa Barbara County Public Works, located at 123 E Anapamu St., Santa Barbara, Ca 93101.

D. ENVIRONMENTAL REPORTING AD MONITORING PROGRAM

Pursuant to Public Resources Code Section 21081.6, the Board hereby adopts the approved project description and mitigation measures, with their corresponding mitigation monitoring requirements, as the monitoring program for this project. The monitoring program is designed to ensure compliance during project implementation and mitigation or avoidance of significant effects on the environment.

E. FINDINGS THAT CERTAIN UNAVOIDABLE IMPACTS ARE MITIGATED TO THE MAXIMUM EXTENT FEASIBLE (CLASS I IMPACTS)

The Final SEIR for the Goleta Slough Dredging Program identifies nine environmental impacts which cannot be fully mitigated and are therefore considered unavoidable. Those impact areas are: Air Quality; Biological Resources, and

Aesthetics. To the extent the impacts remain unavoidable, such impacts are acceptable when weighed against the overriding social, economic and other considerations set forth in the Statement of Overriding Considerations included herein. Each of these "Class I" impacts identified by the Final SEIR is discussed below, along with the appropriate findings as per CEQA Section 15091:

Air Quality:

1. Desilting activities in Goleta Slough may Result in Short-Term Project-Related Air Emissions During a "Typical Scenario." (AQ-1A) Dragline desilting activities in Goleta Slough and transport of sediment to the closed Foothill Landfill would result in temporary emissions of reactive organic compounds (ROC) and NOx which could interfere with progress toward attainment of the ozone standard and would exceed the SBCAPCD New Source Review Rule. The District shall implement the following measures originally developed for the 1993 PEIR to reduce air quality impacts where possible as well as additional mitigation measures recommended by the SEIR. The Board of Directors finds that implementation of these mitigation measures would reduce project-related air emissions but no other feasible measures are available to reduce emissions below levels of significance.

1993 PEIR Mitigation Measures:

MM PAQ-1 A&B: Efforts to Reduce NOX Emissions.

- Prior to and during project activity, equipment will be maintained in proper tune according to manufacturer's specifications.
- When feasible, the number of pieces of heavy-duty diesel-fueled equipment operating simultaneously during the project shall be minimized.
- Catalytic converters shall be installed on gasoline-powered equipment when feasible.
- Equipment shall be equipped with two to four degree engine retard.

2010 SEIR Mitigation Measures:

MM AQ-1 A&B: Additional Measures to Reduce NOX Emissions.

- Equipment meeting Tier 2 or higher emission standards will be used to the maximum extent feasible.
- Engine size of equipment shall be the minimum practical size.
- All portable construction equipment shall be registered with the state's portable equipment registration program or permitted by the District by September 18, 2008.
- All diesel powered equipment used during the project will be fueled with 15 ppm sulfur diesel fuel.
- Idling of heavy-duty trucks will be limited to 5 minutes.
- Heavy-duty diesel-powered equipment purchased for the project shall comply with federal and California diesel standards that are in force at the time of purchase.

- Diesel oxidation catalysts (DOC), catalyzed diesel particulate filters (CDPF) or other SBCAPCD approved emission reduction retrofit devices will be installed on applicable construction equipment used during the project.
2. May Result in Short-Term Project-Related Air Emissions During a “Worst Case Scenario.” (AQ-1B) Desilting using both dragline and hydraulic desilting methods would result in temporary emissions of reactive organic compounds (ROC) and NOx which could interfere with progress toward attainment of the ozone standard and would exceed the SBCAPCD New Source Review Rule. The District shall implement the following measures originally developed for the 1993 PEIR to reduce air quality impacts where possible as well as additional mitigation measures recommended by the SEIR. The Board of Directors finds that implementation of these mitigation measures would reduce project-related air emissions but no other feasible measures are available to reduce emissions below levels of significance.

1993 PEIR Mitigation Measures:

MM PAQ-1 A&B: Efforts to Reduce NOX Emissions. As described above.

2010 SEIR Mitigation Measures:

MM AQ-1 A&B: Additional Measures to Reduce NOX Emissions. As described above.

Biological Resources:

1. Desilting May Adversely Affect Survival and Foraging of Tidewater Goby (BIO-2). Tidewater goby feeds on ostracods, amphipods, mysid shrimp, and insect larvae (especially midge larvae), by plucking prey from the substrate surface, sifting sediment in their mouth and mid-water capture. Desilting would result in direct removal of prey (drag-line bucket, hydraulic slurry), and elevated turbidity and siltation would adversely affect survival of prey and foraging success by tidewater goby. Desilting activities typically last about one month and in peak desilting years would affect a large proportion of the tidewater goby habitat in the Goleta Slough. Based on a review of the literature, adverse effects of maintenance dredging to benthic communities persist for several months to several years, depending on substrate characteristics, geographic location, ecosystem complexity and disturbance history. Tidewater goby mortality may occur as a result of starvation caused by desilting-related degradation of foraging habitat. In addition, mortality may occur as a result of direct contact with desilting equipment and entrainment by the hydraulic dredge. The following measures shall be implemented to reduce degradation of tidewater goby habitat during desilting events, and provide refuges.

2010 SEIR Mitigation Measure

MM BIO-2: Tidewater Goby Refuge

- Tecolotito Creek and Los Carneros Creek downstream of the basins provides high quality tidewater goby habitat and shall not be desilted;

- Desilting at the Tecolotito and Los Carneros basins shall not be conducted simultaneously, to minimize total habitat disturbance in this part of the Slough.
- Hydraulic dredging and dragline desilting in Atascadero Creek shall be designed and implemented so as to leave an undisturbed 10 foot-wide strip of streambed along the entire south edge of the channel.

Although desilting activities would avoid periods of high population density (March-June), mortality is considered a significant and unavoidable impact.

Additional mitigation measures to protect all tidewater gobies from injury or mortality are infeasible given the large water body within Atascadero Creek and the associated infeasibility to capture all gobies within the drainage. Additionally, even with careful relocation of tidewater gobies within smaller or more readily accessible areas of concern, mortality or injury is still likely to occur. The ability to guarantee that all gobies would be removed from an area to be desilted or that no gobies would be taken or injured is infeasible. The loss of one individual of an endangered remains a significant impact. The Board of Directors finds that implementation of additional mitigation measures to completely protect tidewater gobies are not logistically or fiscally feasible.

2. Disposal of sediment at the closed Foothill Landfill Sediment Disposal/Restoration Site would result in the loss of about one hundred coast live oak trees (BIO-4). Sediment disposal and associated earthwork would result in the loss of most of the coast live oak trees at the site. These trees were planted in a disturbed site for ornamental and screening purposes. However, they have matured and are considered specimen native trees as defined in the County's Environmental Thresholds and Guidelines Manual. Mature coast live oak trees (>8" at breast height) removed shall be replaced at the closed Foothill Landfill Sediment Disposal/Restoration Site. The following mitigation measure shall be implemented to reduce the significant impacts:

2010 SEIR Mitigation Measure

MM BIO-4: Oak Tree Replacement.

- Approximately 50 to 100 oak trees shall be planted as habitat clusters and as screening along the site perimeter.

Due to rooting depth restrictions and space limitations at the closed Foothill Landfill Sediment Disposal/Restoration Site, oak trees replacement at the 10:1 replacement ratio specified in the Santa Barbara County CEQA Thresholds of Significance is infeasible. The Board of Directors finds that implementation of additional mitigation measures to replace oak trees are not logistically or fiscally feasible. Therefore, residual impacts are considered significant.

3. Spills of fuel or hydraulic fluid would adversely affect aquatic wildlife, vegetation and birds (BIO-12). Spills of fuel or hydraulic fluid would adversely affect aquatic wildlife, vegetation and birds. The District shall implement the following measures originally developed for the 1993 PEIR to reduce Biological Resources impacts

where possible as well as additional mitigation measures recommended by the SEIR.

Mitigation Provided by the 1993 Program EIR.

MM PBIO-12: Spill Prevention Plan.

- Spill Prevention Plan. A site-specific emergency spill contingency plan for hydraulic and drag-line dredging shall be developed and implemented. The spill prevention plan shall include:
- Containment and cleanup procedures that minimize impacts to biological resources. These include specifying access locations, precautions to take in areas of native vegetation, types of materials to be used (non-toxic), and notifications to resource management agencies such as the California Department of Fish and Game and U.S. Fish and Wildlife Service;
- Cleanup equipment and materials to be stored at the staging areas for immediate use in case of an accident;
- Specifications for disposal of any contaminated materials resulting from cleanup activities;
- Measures to be taken to restore any significant environmental damage caused by the spill or cleanup activities. Such measures are to be taken only when natural recovery would be very slow (more than 3 years) or not likely to occur without help.
- The plan shall be prepared prior to sending the request for proposal for dredging activities.

The Board of Directors finds that implementation of these mitigation measures would reduce the probability and possibly the extent of spills. However, implementation of additional mitigation measure to further reduce impacts is infeasible and residual impacts would be significant.

Aesthetics:

1. Hydraulic desilting activities could adversely affect visual/aesthetic resources (AEST-2). Views of dredging activities from Atascadero Creek would be considerably pronounced. This is primarily due to the lack of dense vegetation along this portion of the Slough banks as well as the increased amount of time spent by recreational users along the Obern Trail/Atascadero Creek bike path. Due to the sensitivity of recreational areas as sensitive visual resources, impacts to visual/aesthetic resources along the Atascadero Creek viewshed are significant and unavoidable.

As discussed within the original 1993 Program EIR, hydraulic dredging equipment would be highly visible from Ward Memorial Blvd (SR-217), Goleta Beach Park parking lot and the Goleta Beach area. Hydraulic dredging equipment would be incompatible with the sensitive viewsheds of Goleta Beach. As such, impacts to visual/aesthetic resources resulting from dredging operations in this portion of the Goleta Slough would be considered significant and unavoidable.

The proposed Project would utilize existing sediment and materials removed from the Slough and its tributaries as replenishment for Goleta Beach. Temporary pipelines would be installed and connected to an existing pipeline sleeve currently located beneath the Goleta Beach Park and parking lot to discharge at a point within the surf zone located approximately 2,500 feet west of the Slough mouth at Goleta Beach. This would require equipment and staging to remove the paved bike path, install the sleeve, then replace the bike path. Bike path removal and replacement activities would occur at two locations; both located in the western portion of the Goleta Beach Park bike trail, south of the Ward Memorial Boulevard (SR-217) bridge. Construction equipment would be visible from the Goleta Beach Park parking lot and bike path for up to two full days every 3 to 5 years. Although temporary and mobile in nature, due to the highly sensitive nature of the Goleta Slough and surrounding viewshed, impacts caused by construction equipment would be significant and unavoidable.

Sediment release would occur within the surf zone within the eastern portion of Goleta Beach. During Project operations, recreational users would be directed around or outside of the sediment release zone. Replenishment activities would be plainly visible to recreational users in the vicinity of the Project site. Within the immediate vicinity of the discharge, discoloration and increased turbidity of the waters would result. As discussed within the original 1993 Program EIR, although construction would be short-term, the Goleta Beach viewshed is considered highly sensitive by virtue of its aesthetic properties and intensive recreational use. Impacts to visual/aesthetic resources would be significant and unavoidable.

The Board of Directors finds that there are no additional feasible mitigation measures to reduce aesthetic impacts to less than significant because the project area is open to various views and screening is not possible due to potential additional aesthetic, biological, or recreational impacts that would result from placing screening devices.

2. Dragline desilting activities could adversely affect visual/aesthetic resources (AEST-3). Draglining operations would be necessary within areas located in the Tecolotito Creek and Los Carneros Creek viewsheds. Under normal maintenance conditions, hydraulic dredging would be the preferred option for desilting of the remaining creeks. However, although hydraulic dredging is the preferred option for the remaining creeks, draglining may also, under some sediment removal circumstances, be the best feasible option for Atascadero, San Pedro and San Jose creeks. Sediment would then be stockpiled in areas for removal by trucks for either upland disposal or beach replenishment.

Goleta Beach Park Viewshed. Dragline desilting activities would require that a 100-ton crane be located along the banks of the Slough and its tributaries for sediment removal. Crane use would be temporary and would move as each portion of the Project creek is desilted. If conditions allow, more than one site may be draglined at a time. Therefore, although unlikely within any one viewshed, a worst-case visual scenario for Project operations would include the two 100-ton cranes. Based on past experience, it is anticipated that draglining maintenance activities would last approximately 4 weeks for the entire Slough not counting the time it takes to remove the spoils after they have dried sufficiently to

be hauled. Although crane operations would be temporary and would only occur every 3 to 5 years as necessary, impacts to the Goleta Beach Viewshed would be significant and unavoidable until the crane was removed.

Atascadero Creek Viewshed. For Atascadero Creek, the dragline desilting crane area would be located along the northern banks directly adjacent to the recreational bike path. The Atascadero Creek bike trail (also known as the Obern Trail) offers public views of the Slough, vegetated coastal bluffs (along the adjacent SoCalGas property) and other scenic areas. Staging of the crane and equipment and stockpiling of removed sediment along the banks of Atascadero Creek would be highly visible from the public bike trail as well as from some of the residences located within the Rancho Goleta Mobil Home Park. Therefore, although operations would be temporary and would only occur every 3 to 5 years as necessary, impacts to the Goleta Beach Viewshed would be significant and unavoidable until the crane was removed.

San Jose Creek/San Pedro Creek Viewsheds. Dragline desilting operations for San Jose Creek and San Pedro Creek would require staging of the crane and stockpiling of removed sediment within private property along the western portion of the bank for San Jose Creek and the eastern portion of the bank for San Pedro Creek. Views from privately owned property are generally not considered for analysis of potential impacts. However, some public views of these creeks are available from SR-217, James Fowler Road and Fairview Avenue. As stated within the original 1993 Program EIR the general appearance of the viewshed is urban. However, due to the overall visual sensitivity of the Goleta Slough, as well as the addition of Fairview Avenue to the City of Goleta's list of designated scenic corridors, the creek viewsheds are considered visually sensitive because they provide some visual relief to the surrounding urban setting.

As stated within the original 1993 Program EIR "construction equipment and the staging area would partially obstruct views of the creek[s]." Therefore, due to the increased sensitivity classification and adjacent roadways being designated as "scenic", as well as the obstruction of views, the impact to visual/aesthetic resources within the San Jose and San Pedro creek areas would be significant and unavoidable until the crane was removed.

Tecolotito Creek/Los Carneros Creek Viewsheds. Dragline operations conducted along Tecolotito Creek and Los Carneros Creek would be partially visible at right angles from specific locations along Hollister Road in Goleta. As stated within the original 1993 Program EIR, the general appearance of the Tecolotito and Los Carneros creeks viewshed is urban. However, due to the overall visual sensitivity of the Goleta Slough, as well as the addition of Hollister Avenue to the City of Goleta's list of scenic corridors, the viewshed is considered visually sensitive because it provides some visual relief to the surrounding urban setting.

Therefore, due to the increased sensitivity classification and adjacent roadways being designated as "scenic", as well as the obstruction of views, the impact to visual/aesthetic resources within the Tecolotito Creek and Los Carneros Creek areas would be significant and unavoidable until the crane was removed.

The Board of Directors finds that there are no additional feasible mitigation measures to reduce aesthetic impacts to less than significant because the project area is open to various views and screening is not possible due to potential

additional aesthetic, biological, or recreational impacts that would result from placing screening devices.

3. Transportation of sediment by truck to Goleta Beach could cause adverse impacts to visual/aesthetic resources (AEST-4). The proposed Project includes the removal of sediment from the lower reaches of the Goleta Slough including Tecolotito Creek, Los Carneros Creek, Atascadero Creek, San Jose Creek, and San Pedro Creek. Following removal, the sediment would then be transported onto Goleta Beach for beach replenishment.

The transport of sediment by dump trucks to Goleta Beach for replenishment purposes could require approximately 10 truck trips per hour during desilting operations resulting in 1,000 cy removed per day. According to the County, a typical desilting season would result in the removal of approximately 92,200 cy and no more than 192,000 cy. As such, trucks may be required to transport sediment within roadways adjacent to the Goleta Slough for approximately 92 - 192 days. Transportation of the sediment via truck would require that an excavator be used to transfer the sediment from the stockpiling area into the dump trucks for hauling. Several of the roadways, including U.S. Highway 101, Hollister Avenue, and Fairview Avenue are designated scenic corridors. Near the lower portions of the Slough these roadways traverse areas of parks, recreational areas, coastal estuaries and scenic areas. According to the County of Santa Barbara guidelines, interference with any of these sensitive viewsheds (scenic corridors, recreational areas, estuaries, etc) would result in a significant impact to visual/aesthetic resources. Therefore, the transportation of sediment by truck to Goleta Beach as well as the use of a dozer and excavator would result in a significant and unavoidable impact to visual/aesthetic resources.

The Board of Directors finds that there are no additional feasible mitigation measures to reduce aesthetic impacts to less than significant because the project area is open to various views and screening is not possible due to potential additional aesthetic, biological, or recreational impacts that would result from placing screening devices.

4. Transportation of Sediment by Truck to the Closed Foothill Landfill Sediment Disposal/Restoration Site could adversely impact visual/aesthetic resources (AEST-5). The proposed Project includes the removal of sediment from the lower reaches of the Goleta Slough including Tecolotito Creek, Los Carneros Creek, Atascadero Creek, San Jose Creek, and San Pedro Creek. Following removal, the sediment would then be transported to Goleta Beach for beach replenishment purposes. Slough sediment would be monitored and tested to determine suitability for use as beach replenishment material. Should the sediment be deemed unsuitable for beach replenishment purposes, it would be collected at stockpile areas located adjacent to the Slough approximately 30 feet from creek banks except at the northern portion of San Jose Creek, where stockpiling would be closer. The excavated sediment would then be hauled from the stockpiling areas in dump trucks to the County of Santa Barbara closed Foothill Landfill for proper upland disposal and reuse. Transportation of the sediment via truck would require that an excavator be used to transfer the sediment from the stockpiling area into the dump trucks for hauling. The dump

trucks would then enter onto local roadways to deliver the sediment to the disposal site located off south U.S. Highway 101 at County Dump Road where a bulldozer would be used to place sediment. Several of these roadways including U.S. Highway 101, Calle Real, Cathedral Oaks, Hollister Avenue, and Fairview Avenue are designated scenic corridors. Near the lower portions of the Slough these roadways traverse areas of parks, recreational areas, coastal estuaries and scenic areas. According to the County of Santa Barbara guidelines, interference with any of these sensitive viewsheds (scenic corridors, recreational areas, estuaries, etc) would result in a significant impact to visual/aesthetic resources. Therefore, the transportation of sediment by truck to the closed Foothill Landfill as well as the use of a dozer and excavator would result in a significant and unavoidable impact to visual/aesthetic resources.

The Board of Directors finds that there are no additional feasible mitigation measures to reduce aesthetic impacts to less than significant because the project area is open to various views and screening is not possible due to potential additional aesthetic, biological, or recreational impacts that would result from placing screening devices.

F. FINDINGS THAT CERTAIN IMPACTS ARE MITIGATED TO INSIGNIFICANCE BY CONDITIONS OF APPROVAL (CLASS II IMPACTS).

The Final SEIR identified several subject areas for which the proposed project is considered to cause or contribute to significant, but mitigable environmental impacts (Class II). With implementation of mitigation measures identified in the Final SEIR, and outlined below, the Board of Directors finds that these impacts would be reduced to less than significant levels.

Water Resources

1. Dredging activities has the potential to adversely impact inland surface water quality on a periodic basis (WR-1). Dredging of the creeks necessarily disturbs existing sediments. These sediments have the potential to include various toxic substances. Additionally, the movement of the sediments may adversely affect water quality parameters such as dissolved oxygen, color, odors and turbidity adversely during the periodic dredging periods.

Mitigation Incorporated in the Project Description.

MM Project 1: Sampling and Analysis Plan - Implementation of Project-incorporated Sampling and Analysis Plan (SAP) in accordance with ASTM and USEPA guidelines.

2010 SEIR Mitigation Measures

MM WR-1: Defined Best Management Practices (BMPs). The District shall define and implement all of its existing and proposed BMPs designed to prevent the introduction of pollutants to surface waters including but not limited to: sediment, trash, fuels, and chemicals. These should include, but are not limited to the following, some of which may be added to the Spill Prevention Plan identified in MM PBIO-12.

- All fueling of vehicles and heavy equipment shall occur in designated areas. Designated areas shall include spill containment devices (e.g., drain pans) and absorbent materials to clean up spills.
 - Vehicles and equipment shall be maintained properly to prevent leakage of hydrocarbons and other fluids, and shall be examined for leaks on a daily basis. All maintenance shall occur in designated areas, which shall include spill containment devices and absorbent materials to clean up spills.
 - Any accidental spill of hydrocarbons or other fluids that may occur at the work site shall be cleaned immediately. Spill containment devices and absorbent materials shall be maintained on the work site for this purpose. The Governor's Office of Emergency Services (OES) shall be notified immediately in the event of a reportable quantity accidental spill to ensure proper notification, clean up and disposal of waste.
 - Waste and debris generated during construction shall be stored in designated waste collection areas and containers away from drainage features, and shall be disposed of regularly.
 - Convenient, portable sanitary/septic facilities shall be provided during construction activities. These facilities shall be well maintained and serviced, and wastes shall be treated and disposed of in accordance with state and local requirements.
 - Storm water BMP material will be used around the construction area perimeters during construction and around any construction operations that could potentially generate waste.
 - Minimize the use of pesticides for creek bank restoration and enhancement activities.
 - Pesticides shall only be handled by appropriately trained personnel in accordance with all applicable regulations.
 - All manufacturer recommended procedures for use, storage and disposal of pesticides shall be implemented.
 - No pesticides shall be stored onsite.
2. Sediment stockpiling on creek banks and creek bank restoration activities will impact inland surface waters on a periodic basis (WR-2). The physical activities of stockpiling sediments on the creek banks also has the potential to result in increased turbidity of the creeks, and re-suspension of pollutants in the creeks from drainage from sediment stockpiles and disturbance of creek banks by equipment.

Mitigation Provided by the 1993 Program EIR.

MM PBIO-12: Spill Prevention Plan. A site-specific emergency spill contingency plan for hydraulic and drag-line dredging shall be developed and implemented. The spill prevention plan shall include:

- Containment and cleanup procedures that minimize impacts to biological resources. These include specifying access locations, precautions to take in areas of native vegetation, types of materials to be used (non-toxic), and notifications to resource management agencies such as the California Department of Fish and Game and U.S. Fish and Wildlife Service;

- Cleanup equipment and materials to be stored at the staging areas for immediate use in case of an accident;
- Specifications for disposal of any contaminated materials resulting from cleanup activities;
- Measures to be taken to restore any significant environmental damage caused by the spill or cleanup activities. Such measures are to be taken only when natural recovery would be very slow (more than 3 years) or not likely to occur without help.
- The plan shall be prepared prior to sending the request for proposal for dredging activities.

2010 SEIR Mitigation Measures

MM WR-1: Defined Best Management Practices (BMPs). As described above.

3. Possible leaks and spills of fuel, oil, and other constituents associated with equipment use and maintenance have the potential to impact inland surface water quality. (WR-3). Project implementation including dredging operations, sediment disposal, and restoration activities will require the use of equipment. During operation and maintenance of this equipment possible leakage of fuel, oil or other toxic substances may result in contamination of surface waters.

Mitigation Provided by the 1993 Program EIR.

MM PBIO-12: Spill Prevention Plan. As described above

2010 SEIR Mitigation Measures

MM WR-1: Defined Best Management Practices (BMPs). As described above.

4. Degradation of marine water quality would result from accidental discharge of fuel or other petroleum products (WR-11). Petroleum discharge: An accidental release of fuel or other petroleum product from the dredging and/or grading equipment could result in a significant impact to the marine water quality. In addition to the potentially toxic effects on the biota that are contacted by the petroleum, the presence of floating oil products is in violation of the Ocean Plan objectives.

Mitigation Incorporated in the Project Description.

MM Project 1: Sampling and Analysis Plan – As described above.

2010 SEIR Mitigation Measures

MM WR-1: Defined Best Management Practices (BMPs). As described above.

Geology

1. Proposed Landfill Restoration Plan will alter existing topography and surficial features (GEO-7). The closed Foothill Landfill Sediment Disposal/Restoration Site ranges in elevation from 110 feet above mean sea level (msl) at the southern toe to 283 feet msl. The current topography of the site is a direct result

of the historic land filling operations. The proposed restoration/fill area is approximately 20 acres which is divided into three areas. The initial phase of restoration will require the import of sediment and grading/shaping to reach the final topography. Existing vegetation will be removed or filled incrementally as needed to accommodate new sediment as it is imported. The final topography of the site may change slightly in terms of general contouring of the side slopes; however the maximum elevations will not change from what they currently are. With implementation of a grading plan in conformance with all County requirements, impacts would be reduced to less than significant.

Mitigation Incorporated in the Project Description.

MM Project 2: Restoration/Revegetation Plan for the Proposed Sediment Disposal Areas at the Closed Foothill Landfill - Implementation of Project incorporated restoration and revegetation plan at the closed Foothill Landfill sediment disposal areas. Included as Appendix F of the SEIR.

Biological Resources

2. Desilting would disturb raptor and heron roosts, and swallow nesting (BIO-13). Based on the 2009 field survey, affected areas include:

- Great blue heron and great egret rookery north of the Slough main channel near mouth;
- Double-crested cormorant roost north of the Slough main channel near mouth;
- Cliff swallows nesting on the Route 217 bridge over San Pedro Creek, the pipe bridge over Atascadero Creek, and Hollister Avenue bridge at Tecolotiito Creek; and
- Raptor nesting habitat along the south side of Atascadero Creek.

Mitigation Provided by the 1993 Program EIR.

MM PBIO-13: Time Restrictions or Monitoring. Mitigate potential adverse impacts to raptor and heron roosting/perching by limiting dredging to daytime hours or by developing a plan to monitor the response of the birds to Project activities. Perform dredging in the Goleta Slough and drag-line desilting in Tecolotito Creek after the swallow breeding season has been completed and before the next season begins (between August 1 and April 1). A raptor and heron roosting monitoring plan shall be developed and include:

- Methodology for observing birds including a schedule of surveying prior to desilting (baseline conditions) and to coincide with periods of activity, including at night that could affect the birds.
- Criteria for determining an adverse impact is occurring.
- Measures to be taken if adverse impacts occur, and procedures to follow in implementing these measures

2010 SEIR Mitigation Measures

MM BIO-13: Breeding Bird Monitoring and Avoidance. If desilting activities are anticipated to occur or extend into the bird breeding season (February 15 through

August 1), breeding bird monitoring and avoidance shall be implemented, and include:

- A breeding bird survey shall be completed by a qualified biologist within all areas within 200 feet of desilting activities;
 - Active nests shall be identified and monitored by a qualified biologist;
 - If desilting activities are found to substantially affect breeding and/or foraging behavior at the nest site, a buffer shall be established by a qualified biologist and desilting work postponed within the buffer area until the nest is abandoned or young have fledged.
1. Disposal of dredged sediments at Goleta Beach may adversely affect grunion spawning. (BIO-15). Based on the proposed Project schedule, beach disposal may occur from September 15 through May 15, which includes grunion spawning periods. The presence of wheeled or tracked vehicles on the beach to place the discharge pipe and excavate a trench at the mouth of Goleta Slough may crush spawning grunion and their buried eggs and larvae. This impact is considered significant but mitigable.

Mitigation Provided by the 1993 Program EIR.

MM PBIO-15: Grunion Survey and Avoidance. Prior to pipelaying across the beach and discharge of sediments during grunion spawning season, conduct a survey (on high tides at night) to determine if grunion use Goleta Beach. If they do, suspend dredging and pipe moving activities as night and minimize vehicle activities on the beach to prevent damage to eggs in the sand.

Alternative Mitigation Recommended by the 2010 SEIR.

MM BIO-15: Grunion Surveys and Avoidance. If equipment activity is anticipated to occur on the beach during the documented grunion spawning season (March through September) nightly field observations (during favorable tide conditions as designated by CDFG) for grunion spawning activities at Goleta Beach shall be completed for two weeks prior to the proposed deposition and grading of sand on the beach. No sediment discharge or equipment activity shall be allowed if grunion spawning has occurred at anytime during the prior two week period without specific authorization from state and federal resource agencies (CDFG and NOAA Fisheries).

3. Turbidity and siltation caused by disposal of dredged sediments at Goleta Beach may adversely affect sensitive nearshore marine habitats (BIO-16). While the sediment in the beach discharge is expected to rapidly settle, fine material (silts and clays) which could comprise up to 50 percent of disposed material, would remain in the water column and be transported offshore. The analysis of nearshore currents in the 1993 Program EIR indicated that the prevailing flow is to the southwest (offshore and toward Goleta Point), which was confirmed by Aquatic Bioassay and Consulting (2009). Kelp beds, eelgrass, and rocky bottom habitat have been documented within the area offshore of the proposed beach disposal site and could be affected by the deposition of a substantial amount of fine sediment and/or by increased turbidity. The potential impacts of siltation and/or turbidity are considered significant but mitigable.

2010 SEIR Mitigation Measures

MM BIO-16: Marine Turbidity Plume Monitoring. The proposed updated maintenance program includes onshore visual monitoring of the turbidity plume during beach disposal operations. If the turbidity plume is observed to reach kelp beds or eelgrass beds (east of Goleta Pier, off Goleta Point) beach disposal shall be terminated until the turbidity plume has dissipated.

Risk of Upset

1. The use, maintenance and fueling of equipment has the potential to result in the discharge of hazardous material to the environment from leaks and accidental spills (RU-1). Equipment associated with the Project for hydraulic dredging operations include: hydraulic dredge and a crane. The hydraulic dredge operates on diesel fuel and contains onboard pumping equipment. Additionally, booster pumps may be floated like the dredge or staged on the bank approximately 3,000 feet from the working area. Other equipment that would be used for hydraulic dredging operations include: forklift, loader/dozer, welding machine, fusion machine, and rubber track dump truck.

For dragline dredging the main piece of equipment is a crane that would operate from the sides of the creeks or basins. Additional equipment for the dragline dredging operations include trucks for hauling, an excavator for loading sediment into trucks, and a bulldozer.

The fuel, lubricants, oils and chemicals for the hydraulic dredge are stored in the staging area located in the eastern portion of Goleta Beach County Park. The fueling and maintenance of Project equipment for the hydraulic dredge takes place on the dredge or in the staging area located in the eastern portion of Goleta Beach County Park. Fuel, lubricants, oils and chemicals for the dragline crane are stored in a locked container inside the work truck associated with the crane but does not stay onsite after work hours. The fueling and maintenance of Project equipment for the crane takes place onsite in the staging area. In the event a booster pump is required to maintain the appropriate desilting discharge rate, if the booster pump is located on land, a temporary, above-ground fuel storage tank would be installed in accordance with applicable government regulations pertaining to the siting, construction and use of such tanks. Numerous pieces of equipment that require fueling and maintenance are part of the Project. Several safeguards are presently in effect to prevent the contamination of soil or water resources. However, due to the sensitivity of the Project environment, any discharge of hazardous materials may be significant.

Mitigation Provided by the 1993 Program EIR.

MM PBIO-12: Spill Prevention Plan. As described above

2010 SEIR Mitigation Measures

MM WR-1: Defined Best Management Practices (BMPs). As described above.

2. Discharge of pesticides associated with restoration activities have the potential to significantly impact human and environmental health (RU-2). Proposed site enhancement activities may result in the use of pesticides. Inappropriate use, storage or disposal of such substances may result in adverse impacts to human and environmental health. The significance of such effects is dependent upon the type of

chemical, quantity, and location of release among other factors. Because of the sensitivity of the environment for all of the creek-side enhancement areas, this impact is considered potentially significant.

Mitigation Provided by the 1993 Program EIR.

MM PBIO-12: Spill Prevention Plan. As described above

2010 SEIR Mitigation Measures

MM WR-1: Defined Best Management Practices (BMPs). As described above.

Cultural Resources

1. Project-related exposure of CA-SBA-45 may increase its exposure to unauthorized cultural artifact collectors (CR-2). Archaeological site CA-SBA-45 is well known to artifact collectors. Natural erosion of the creek banks may have exposed cultural material. Also, as stated in the PEIR, removal of vegetation along the banks of archaeological sites would also contribute to the exposure and access of prehistoric artifacts. Increased exposure and site access to cultural resources as a result of the Project could exacerbate unauthorized collection of these resources which is considered an indirect, but potentially significant, Project impact.

Mitigation Provided by the 1993 Program EIR

MM PCR-1a: Avoidance of SBA-45 and Locus 21. Dredging excavation shall not occur within a minimum 25-foot distance measured along the top of creek banks, and within 5 feet of the existing creek bank toe of slope adjacent to Locus 2 and SBA-45 site boundaries. These avoidance areas shall be temporarily staked during construction.

2010 SEIR Mitigation Measures

MM CR-2a: Worker Cultural Orientation. At Goleta Slough Flood Control Dredging Project work locations #1 Atascadero Creek, #2 San Jose Creek & Enhancement, #3 San Pedro Creek & Enhancement and #6 Goleta Beach Replenishment, before commencing work, Project crews and personnel shall be informed of the importance of the potential archaeological resources in the area and of the regulatory protections afforded to the resources. The crew should be informed of procedures relating to the discovery of archaeological remains during Project activities and cautioned to avoid archaeological areas with equipment and not to collect artifacts. Personnel and the crew should inform their supervisor and the on-site monitor should cultural remains be uncovered.

MM CR-2b: Demarcation of Archaeological Sites. Known archaeological sites shall be avoided, so as not to inflict a significant impact to the site. Avoidance can be accomplished by having the archaeologist and project engineer demarcate on the ground cultural resource boundaries that occur adjacent to work areas to ensure that proposed Project improvements do not impinge on the resource(s). Construction equipment can then be directed away from the resource, and construction personnel directed to avoid entering the area. This applies to work locations #1 Atascadero

Creek, #2 San Jose Creek & Enhancement, #3 San Pedro Creek & Enhancement and #6 Goleta Beach Replenishment where archaeological sites have been recorded.

2. Installation and removal of the pipeline for the Goleta Beach surf zone work associated with beach replenishment has the potential to impact CA-SBA-1695 (CR-4). The Project uses a discharge pipeline for the beach nourishment element when hydraulic desilting occurs. The discharge pipeline extends through a sleeve under the Goleta Beach parking lot and under the bike path. The pipeline sleeve at the parking lot is permanent. However, the sleeve under the bike path is installed for each event and then removed afterward. Due to the surface crossing of site CA-SBA-1695, during installation of the pipeline and removal of the pipeline for the Goleta Beach surf zone work archaeological site CA-SBA-1695 may be impacted.

Mitigation Provided by the 1993 Program EIR

MM PCR-1b: Monitoring of Archaeological Sites. All dredging operations within archaeological sites and buffer areas shall be monitored by a County-approved archaeologist and local Native American representative. If unexpected archaeological remains are encountered, dredging activities shall be redirected elsewhere until the significance of the materials can be evaluated pursuant to County Cultural Resource Guidelines. If significant and feasible, dredging activities shall be redesigned to avoid further disturbances to the cultural deposit. If not avoidable, Phase 3 data recovery excavations shall be undertaken pursuant to County Cultural Resource Guidelines.

2010 SEIR Mitigation Measures

MM CR-2a: Worker Cultural Orientation. As described above.

3. Project activities have the potential to disturb Native American human remains (CR-5). In addition to cultural deposits, human remains occur regularly at sites SBA-45 and SBA-46. The PEIR determined that potentially significant and unavoidable impacts to human remains could be associated with excavation of pilot channels at Atascadero Creek and San Jose Creek. However, as indicated above, the current Project dredging is not proposed to expand the boundaries or depth of previous channel excavations. Because of the cultural resource avoidance measure in place for the Project, impacts to human remains associated with dredging in the channels are not likely. It is possible that workers may observe newly exposed cultural materials potentially including burials along the banks of Atascadero, San Pedro or San Jose creeks due to the natural erosion of the creek banks. In this event, proper notification procedures as described in MM CR-4 below should be implemented. Additionally, the placement of discharge pipeline has the potential to impact SBA-1695. The pipeline installation and removal has been conducted numerous times without apparent impact on cultural resources. There is very limited data available on this site and the likelihood of human remains at this site is unknown. However, in the event that such remains are encountered the impact would be considered significant as all human remains and associated ceremonial artifacts retain spiritual integrity for Native Americans.

2010 SEIR Mitigation Measures

MM CR-2a: Worker Cultural Orientation. As described above.

MM CR-5: Proper Disposition of Human Remains. If Native American human remains are discovered during Project construction at any Goleta Slough Flood Control Dredging Project work locations, the Project Archaeologist shall be notified and state laws relating to the disposition of Native American burials, which fall within the jurisdiction of the NAHC (Public Resource Code Sec. 5097), shall be followed. The coordination of the procedures outlined in the Proposed Native American Burial Protection Plan is the responsibility and under the authority of the lead agency for this project.

In the event that human remains are unearthed, all work shall stop in the area of the find and any nearby area reasonably suspected to overlie adjacent human remains and the County Coroner notified. If the remains are determined to be of Native American descent, the Coroner shall notify the NAHC within 24 hours. Reburial or disposal of human remains shall be conducted according to the instructions of the most likely descendent, as identified by the NAHC.

4. Impacts to previously identified cultural resources (CR-7). Because of the general cultural sensitivity of the Goleta Slough it is possible that archaeological sites that have not been previously identified may exist within the Project work area. Project activities such as ground disturbance associated with operation of equipment on the banks during dragline desiltation, or any ground disturbing activity has the potential to impact previously unidentified cultural resources.

2010 SEIR Mitigation Measures

MM CR-7. Stop Work Order: If cultural resources are encountered during implementation of the Project, construction work must be stopped and all activity that disturbs the earth within fifty feet must be suspended or moved to another area. The area will be staked or flagged until an archaeologist determines significance of the discovery and recommends the methods of evaluation. All discoveries of cultural resources must be evaluated and mitigated if determined significant. After the find has been mitigated, work may resume at that location. A Native American monitor shall be retained to observe any ground disturbances that contain or may contain Native American artifacts or objects of religious significance.

G. CUMMULATIVE EFFECTS

The Final SEIR for the Goleta Slough Dredging Program identifies three cumulative environmental impacts which cannot be fully mitigated and are therefore considered unavoidable (Class I). Those impact areas are: Biological Resources, and Aesthetics. To the extent the impacts remain unavoidable, such impacts are acceptable when weighed against the overriding social, economic and other considerations set forth in the Statement of Overriding Considerations included herein.

The Final SEIR for the Goleta Slough Dredging Program also identifies four cumulative environmental impacts for which the project is considered to cause

or contribute to considerable, but mitigable environmental impacts (Class II). Those impact areas are: Water Resources, Biological Resources, and Cultural Resources. Each of these Cumulative "Class I" and "Class II" impacts identified by the Final SEIR are discussed below, along with the appropriate findings as per CEQA Section 15091.

Biological Resources Cumulative Class I

1. The Project would result in cumulatively significant impacts to tidewater goby (BIO-CUMM-8). Tidewater goby is listed as a federally endangered species. Project desilting was determined to result in significant impacts to the species. It is not expected that the specific projects considered in the Cumulative Impacts Analysis would directly impact tidewater goby within the Project creek channels. However, because the species has been significantly impacted by past projects that have negatively impacted the species as a whole, the Project's impact may be cumulatively considerable as well as significant on a project-specific basis. The District's implementation of the Tidewater Goby Refuge mitigation as described above in E-Biological Resources-1 would also serve to mitigate the Project's contribution to cumulative impacts on tidewater goby. The Board of Directors finds that implementation of additional mitigation measures to reduce cumulative impacts to a level of insignificance is not logistically or fiscally feasible.

Aesthetics Cumulative Class I

1. Cumulative development would result in significant, unavoidable, adverse, short-term affects to sensitive viewsheds (AEST-CUM-13). The proposed Project is located within the Goleta Slough viewshed, which is designated as a scenic resource by the City of Goleta. As such, the proposed Project, although temporary and mobile in nature, would have a significant, unavoidable impact on immediate views for the duration of crane operation activities. Cumulative projects within the Goleta Slough viewshed including the SoCalGas La Goleta Storage Field, Goleta Slough Sanitary District plant upgrade, and construction within the City of Santa Barbara Municipal Airport would contribute to aesthetic impacts if construction equipment or activities would also be visible to the public and simultaneously with the proposed Project within the Project viewshed. As such, impacts would be cumulatively considerable. The Board of Directors finds that implementation of additional mitigation measures to reduce cumulative impacts to a level of insignificance is not feasible.
2. Cumulative impacts would result in significant, unavoidable, adverse short-term affects to sensitive viewsheds during disposal of sediments within Goleta Beach (AEST-CUM-14). The proposed Project, although temporary and mobile in nature, would have a significant, unavoidable impact on immediate views for the duration of crane operation activities. Cumulative projects within the Goleta Beach viewshed including the So Cal Gas La Goleta Storage Field, and the Goleta Slough Sanitary District plant upgrade would contribute to cumulative aesthetic impacts if construction equipment or activities would also be visible to the public and would also be cumulatively considerable should they occur simultaneously with the proposed Project within the Project view shed. As such, impacts would be cumulatively considerable. The Board of Directors finds that implementation of additional mitigation measures to reduce cumulative impacts to a level of insignificance is not feasible.

Water Resources Cumulative Class II

1. Cumulative projects could result in short-term impacts to surface water quality in stream channels (WR-CUM-2). Projects which may contribute cumulatively to impacts to surface water quality within the proposed Project area would include restoration within the Goleta Slough, monitoring associated with permit compliance, the Goleta Sanitary District wastewater treatment plant upgrades, the wetland mitigation associated with the relocation of runway 7/25 and the construction of the new airline terminal facility and any other projects in the watershed. Surface water impacts caused by these Projects could cause cumulatively considerable impacts to surface water quality primarily through erosion and runoff during construction activities, as well as potential leaks and spills of fuel, oil and other constituents associated with equipment use and maintenance. The Project's contribution to this surface water quality impact is therefore cumulatively considerable and mitigable. The Board of Directors finds that potential impacts have been mitigated to a less than significant level with the following mitigation measures.

Mitigation Provided by the 1993 Program EIR.

PBIO-12: Spill Prevention Plan, as described above

2010 SEIR Mitigation Measures

MM Project-1 Sampling Analysis Plan (SAP) and MM WR-1 Defined Best Management Practices as described within the MM WR-1, both described above, would reduce the Projects cumulative contribution to surface water quality impacts to a less than significant level. However, the following additional measure would further reduce cumulative impacts.

MM CUM-2 District will notify applicable permitting agencies of Project activities and scheduling to reduce cumulatively considerable impacts. Prior to Project desilting, beach replenishment or sediment removal activities, the District will notify applicable permitting agencies associated with cumulatively considerable projects to ensure that cumulatively considerable impacts to resource areas would be reduced through Project timing.

2. Cumulative offshore water quality impacts could result from construction activities within Goleta Beach (WR-CUM-5). Projects which may contribute cumulatively to impacts to water quality within the proposed Project area would include the coastal enhancement projects at Goleta Beach. Impacts caused by these Projects could contribute cumulatively to water quality primarily through erosion and runoff during construction activities, as well as potential leaks and spills of fuel, oil and other constituents associated with equipment use and maintenance. The Project's contribution to this offshore water quality impact is cumulatively considerable and mitigable. The Board of Directors finds that potential impacts have been mitigated to a less than significant level with the following mitigation measures.

Mitigation Provided by the 1993 Program EIR.

MM PBIO-12 Spill Prevention Plan, as described above

Mitigation Provided by the 2000 SEIR

MM SWR-1 - Post Advisories. Post so swimming advisories at the beach immediately prior to, during and for two days after dredging discharges occur.

2010 SEIR Mitigation Measures

MM Project-1 Sampling Analysis Plan (SAP) and MM WR-1 Defined Best Management Practices, both described above, would reduce the Projects contribution to surface water quality impacts to a level that is not cumulatively considerable.

MM CUM-2, as described above, would further reduce this impact.

Biological Resources Cumulative Class II

1. Cumulative development may result in significant cumulative impacts to grunion, nearshore marine habitats and biota (BIO-CUM-9). In addition to the proposed Project, projects which would be cumulatively considerable to sensitive species or habitats within the waters of the Pacific Ocean include any projects associated with coastal enhancement. Coastal enhancement projects would entail the stabilization of beach sands within the Project area by sediments collected from onshore or offshore sources along the Goleta Coast. Environmental impacts associated with other coastal enhancement projects would likely be similar to those associated with the proposed Project. Project activities may result in direct impacts on grunion, nearshore marine habitats and biota. These effects could be exacerbated by other similar projects. However, some of these effects would likely be tempered by the fact that it is unlikely for such projects to occur simultaneously. As such, although unlikely based on project timing and scheduling, effects would be cumulatively considerable but mitigable. The Board of Directors finds that potential impacts have been mitigated to a less than significant level with the following mitigation measures.

Mitigation Provided by the 1993 Program EIR.

MM PBIO-16 Grunion Survey and Avoidance, as described above

2010 SEIR Mitigation Measures

MM BIO-16 Grunion Surveys and Avoidance, as described above.

MM BIO-17 Marine Turbidity Plume Monitoring, as described above, would all serve to mitigate the Project's contribution to cumulative impacts on tidewater goby.

Cultural Resources Cumulative Class II

Cumulative development has the potential to result in significant impacts to known and presently unidentified archaeological/cultural resources (CR-CUM-12). Of the cumulative projects considered, some have the potential to impact known archaeological sites within the Project impact area. Additionally, due to the general archaeological sensitivity of the Project area there is a potential for the existence of currently unidentified archaeological site to exist. Because the Project and cumulative development have the potential to result in significant impacts to known and unknown archaeological/cultural resources, and due to the past history of degradation of such resources, potential cumulative impacts to archaeological/cultural would be considerable but mitigable. The Board of Directors finds that the project's contribution to cumulative impacts on archaeological/cultural resources would be reduced to an insignificant level; through implementation of the following mitigation measures.

Mitigation Provided by the 1993 Program EIR.

MM PCR-1a Avoidance of SBA-45 and Locus 2, as described above.

2010 SEIR Mitigation Measures

MM CR-2a Worker Cultural Orientation, as described above.

MM CR-2b Demarcation of Archaeological Sites, as described above.

H. Findings Related to Growth Inducing Effects

Section 15126.2(d) of the State CEQA Guidelines requires an EIR to discuss ways in which a project could foster economic or population growth or the construction of new housing, either directly or indirectly in the surrounding environment. The following discussion is from Section 8 of the Final SEIR.

The proposed Project includes the continuance of maintenance dredging/draglining (desilting) of sediment from the lower reaches of the Goleta Slough and its tributaries including Tecolotito Creek, Los Carneros Creek, Atascadero Creek, San Jose Creek, and San Pedro Creek. The Project does not include the construction of new housing which could be considered a direct growth-inducing impact. The Project is an extension of existing maintenance activities currently being performed at the site and would not require additional personnel or employment opportunities which would lead to an indirect growth potential. The Project does not include the construction of new infrastructure or service systems. Based on this analysis the Board of Directors finds, that the proposed project would not be growth inducing.

I. FINDINGS THAT IDENTIFIED PROJECT ALTERNATIVES ARE NOT FEASIBLE

alternatives (including the No Project Alternative) were initially identified and underwent preliminary analysis. Of those seven alternatives initially considered, four were rejected as being infeasible and were not analyzed in detail in the SEIR. Three alternatives for deeper ocean discharge scenarios were not carried forward because the additional analysis, coordination, and permitting required for

all of the deeper ocean discharge scenarios would be costly, inefficient, and may delay maintenance activities; thus causing additional environmental impacts as a result of flooding and potential interference with Santa Barbara Airport operations. The deeper ocean discharge alternatives would reduce, but not eliminate the potential impacts associated with sediment. Additionally, these alternatives would reduce the Project benefit of beach replenishment and associated habitat/recreational opportunities due to the fact that sediments would be deposited offshore and may be transported further offshore or down current prior to beach replenishment. The three alternatives carried forward for analysis in the SEIR are Alternate Discharge Locations at Goleta Beach (east and west) and Upland Disposal at Tajiguas Landfill.

The project alternatives have been screened based on the following criteria: 1) technical feasibility, 2) economic feasibility, 3) land and institutional considerations, 4) meeting the project objectives, and 5) environmental impacts.

Alternatives Considered but Not Carried Forward for Proposed Project/SEIR

1. No Maintenance Alternative

The Project is intended to maintain the biological productivity of the Goleta Slough while protecting adjacent private property interests from flooding. These activities are currently approved in the PEIR for Goleta Slough Maintenance activities that was written in 1993. A “no project” alternative would not accomplish these objectives and is not carried forward into further analysis.

The No Maintenance alternative would avoid all of the adverse impacts associated with the proposed Project. However, it would not provide the beneficial effects/objectives of the Project including:

- Flood protection of land uses surrounding the Goleta Slough
- Maintaining the biological productivity of the Goleta Slough Marsh
- Keeping the Goleta Slough Mouth Open permitting a healthy exchange of water in the Goleta Slough
- Providing beach sand replenishment

2. Deeper Ocean Discharge

In the event that the grain size evaluation determines the level of fines within sediments removed during basin maintenance to be in exceedance of 25 percent (up to 50 percent), an alternative would be to construct the outfall discharge pipe further offshore (beyond 25-foot water depth) and outside of the active surf/disposition zone. Where the sediment composition has been shown to include more fine materials; therefore desilted materials containing too many fines for beach replenishment would be made available to an area that has a similar composition, and can then be mixed/transported by littoral currents down shore for beach replenishment to areas east of Goleta Beach. Deeper ocean discharge scenarios considered as alternative to the proposed Project include: 1) wastewater treatment outfall tie-in, 2) Goleta Pier pipeline alignment, and 3) HDD to a deeper outfall location as further described below.

Wastewater Treatment Outfall Tie-In. A deeper ocean discharge alternative would consider tie-in of the desilted material to the existing wastewater treatment outfall line located parallel to Goleta Pier. Coordination of a blended outfall would require engineering consideration of currently existing pipeline capacity during a maximum outflow event. Additionally, the wastewater treatment outfall NPDES discharge permit issued by the RWQCB would have to be altered and re-issued to address the additional outfall source. At this point in time it is not clear that such capacity exists in the outfall, therefore the feasibility of this alternative cannot be determined.

Goleta Pier Pipeline Alignment. In order to minimize potential impacts to the seafloor, a discharge pipeline could be hung from the existing Goleta Pier pilings to its terminus offshore. By utilizing the existing right-of-way, the pipeline would not have to lay on the seafloor and the pier would provide structural support for the outfall from swell and surf conditions. However, similar to the wastewater treatment alternative, use of the Goleta Pier as an outfall support structure would require engineering consideration and coordination with the County of Santa Barbara Parks Department to determine feasibility.

HDD. In the event that a deeper ocean discharge is considered the preferred alternative for discharge of desilted materials from the Goleta Slough; and other deeper ocean discharge alternatives are not considered feasible, the outfall could be constructed through Horizontal Directional Drilling (HDD) methodology. By utilizing HDD, outfall installation would avoid beach/recreational and potential seafloor impacts. However, use of HDD is not as cost-effective as the other alternatives considered and would require additional monitoring/contingency measures intended to protect the environment from the potential discharge of drilling fluid during installation.

In order to reduce the potential for fines in exceedance of the current 25 percent beach compatibility standard; the proposed Project has incorporated a Sampling and Analysis Plan that dictates project design depth to minimize fines each maintenance season. As previously discussed, since 1993, approximately 80 percent of dredged materials from the Goleta Slough has been taken/discharged to Goleta Beach for beach replenishment although 85%+ of material removed has been tested as suitable, but have sometimes been utilized for upland re-use.

Summary: The additional analysis, coordination, and permitting required for all of the deeper ocean discharge scenarios would be costly, inefficient, and may delay maintenance activities; thus causing additional environmental impacts as a result of flooding and potential interference with Santa Barbara Airport operations. The alternatives presented would reduce, but not eliminate the potential impacts associated with sediment incompatibility in the event that sediments are in exceedance of established standards and are not taken by subcontractor for upland re-use or utilized for restoration activities at the closed Foothill Landfill site. Additionally, these alternatives would reduce the Project benefit of beach replenishment and associated habitat/recreational opportunities due to the fact that sediments would be deposited offshore and may be transported further offshore or down current prior to beach replenishment. Therefore, the deeper ocean discharge scenarios have not been carried through for further analysis.

Alternatives Carried Forward for Proposed Project/SEIR

Alternate Discharge Locations at Goleta Beach

Eastern Discharge (Hydraulic Desilting Only). In the event that sediment testing levels are found to be in exceedance of established guidelines; the outfall discharge pipe during hydraulic desilting would be relocated to the eastern portion of Goleta Beach. By relocating the pipeline further east; the discharge point would avoid heavily utilized recreational areas.

Relocating the outfall discharge pipe to the eastern portion of Goleta Beach is only feasible during hydraulic desilting activities due to its need to place the discharge pipe across the Goleta Slough mouth which would prevent trucks or heavy equipment from accessing this side of the beach for placement of sediments during dragline desilting methodology. Potential impacts as compared to the proposed Project are similar; however this alternative was considered primarily because the bifurcation of Goleta Beach due to the Goleta Slough outfall and high-tide events naturally results in reduced public access to this area and therefore a reduced effect to recreational resources during discharge activities. However during hydraulic desilting activities, beach replenishment will occur from September 15th through March 31st primarily avoiding the peak recreational seasonal use for this area. Additionally, construction of a longer outfall pipeline to reach this area would increase construction time and would not achieve as much of a beneficial Project objective for replenishment of sands at Goleta Beach as sediments would quickly redistribute downshore. As such, the eastern discharge alternative for hydraulic desilting activities is not considered to substantially lessen potential impacts as compared to the proposed Project.

Western Discharge (Dragline Desilting Only). In order to replenish sand further west sediment removed during dragline desilting events may be trucked to a bluff location near the existing lift station and placed in the surf zone order to allow for greater availability of sand to the entire Goleta Beach sand cell.

As an alternative to trucking compatible sediment to the current area within the surf zone at Goleta Beach, sand may be trucked further west to a bluff location near the existing lift station and placed in the surf zone to allow for greater availability of sand to the entire Goleta Beach sand cell. This alternative would have almost identical impacts to the proposed Project; however longer truck trips to this heavily utilized area would potentially increase transportation/circulation as well as recreational impacts. As such, the western discharge alternative for dragline desilting activities is not considered to substantially lessen potential impacts as compared to the proposed Project.

2. Upland Disposal at Tajiguas Landfill

If sediment removed exceeds sand fine percentages, is not stockpiled for blending, and is not utilized for restoration at the closed Foothill Landfill; an alternative disposal option would be to take the spoils to Tajiguas Landfill in Santa Barbara for use as cover material. Tajiguas Landfill is located an average distance of approximately 20 miles west of the proposed Project areas. At this time, Tajiguas Landfill has permitted capacity available to accept anticipated sediment volumes; however trucking of sediment to Tajiguas Landfill would result in associated increased air quality, noise, risk of upset, and traffic/circulation impacts as compared to the proposed Project

option of trucking sediment to approximately 5 miles from the Project areas to the closed Foothill Landfill for restoration.

Summary: As indicated above, alternatives considered for placement and/or disposal or reuse of desilted sediment would not substantially lessen or fulfill the objectives of the proposed Project. As such, the proposed Project would remain the environmentally superior alternative.

J. STATEMENT OF OVERRIDING CONSIDERATIONS

The final SEIR, SCH No. 2000031092, identifies impacts to Air Quality, Biological Resources and Aesthetics as significant environmental impacts which are considered unavoidable. Having balanced the benefit of the project against its significant and unavoidable effects, the Board of Directors hereby determines that the project's unavoidable impacts are acceptable in light of the project's benefits. Each benefit set forth below constitutes an overriding consideration warranting approval of the project, independent of the other benefits, despite each and every unavoidable impact. Pursuant to CEQA Sections 15043, 15092, and 15093, any remaining significant effects on the environment are acceptable due to these overriding considerations.

By approving the Proposed Project, the Board of Directors has adopted the Environmentally Superior Alternative. Class I impacts have been identified for Air Quality, Biological Resources and Aesthetics. These impacts would be mitigated to the maximum extent feasible by measures outlined in Section 5.2.2, 5.4.2, and 5.8.2.

The 5 drainages that are maintained as the Goleta Slough Dredging Program carry the enormous peak runoff from the hills and uplands as it flows through the developed communities acting as an outlet for the extensive urban drainage system that extends through the Goleta Valley. These drainages cannot be left unattended or unmaintained if they are to continue to protect life and property. Failure to maintain the Goleta Slough drainages would result in the channels becoming full of sediment causing extensive flooding across the Goleta Valley including the Santa Barbara Airport, business, residences and associated infrastructure.

The Board recognized the need to balance flood control mandates which are necessary for the protection of life and property against the protection of environmental resources. The mitigation measures significantly reduce environmental impacts associated with performance of Flood Control maintenance activities within Goleta Slough. The Board finds that the Proposed Project mitigates environmental effects to the maximum extent feasible when weighed against legal, technical, social and economic mandates relative to flood control protection.

The Board or Directors therefore finds that the remaining unavoidable significant environmental effects are acceptable.

RELEVANT POLICIES

Environmental Review

California Environmental Quality Act of 1970

15096. PROCESS FOR A RESPONSIBLE AGENCY

- (a) General. A Responsible Agency complies with DEQA by considering the EIR or Negative Declaration prepared by the Lead Agency and by reaching its own conclusions on whether and how to approve the project involved. This section identifies the special duties of a public agency will have when acting as a Responsible Agency.
- ...
(f) Consider the EIR or Negative Declaration. Prior to reaching a decision on the project, the Responsible Agency must consider the environmental effects of the project as shown in the EIR or Negative Declaration. A subsequent or supplemental EIR can be prepared only as provided in Sections 15162 or 15163.
- ...
(g) Findings. The Responsible Agency shall make the findings required by Section 15091 for each significant effect of the project and shall make the findings in Section 15093 as necessary.

15091. FINDINGS

- (a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:
 - (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
 - (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or should be adopted by such other agency.
 - (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.
- (b) The findings required by subdivision (a) shall be supported by substantial evidence in the record.
- (c) The finding in subdivision (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives. The finding in subdivision (a)(3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.
- (d) When making the findings required in subdivision (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.
- (e) The public agency shall specify the location and custodian of the documents or other material which constitute the record of the proceedings upon which its decision is based.
- (f) A statement made pursuant to Section 15093 does not substitute for the findings required by this section.

15093. STATEMENT OF OVERRIDING CONSIDERATIONS

- (a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable.”
- (b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.
- (c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

Access

Local Coastal Program

Policy A-1: Access within the Slough will be restricted to those persons and organizations conducting compatible research and educational projects.

Cultural Resources

Local Coastal Program

Policy F-3: New development shall protect and preserve archaeological or other culturally sensitive resources from destruction, and shall minimize and, where feasible, avoid impacts to such resources. “Archaeological or other culturally sensitive resources” include human remains, and archaeological, paleontological, or historic resources.

- Coastal Development Permits for new development within or adjacent to archaeologically or other culturally sensitive resources shall be conditioned upon the implementation of appropriate mitigation measures to minimize and, where feasible, avoid impacts to such resources.
- New development on or adjacent to sites with archaeologically or other culturally sensitive resources shall include on-site monitoring by a qualified archaeologist/s and appropriate Native American consultant/s of all grading, excavation, and site preparation that involve earth-moving operations.

Biological Resources

California Coastal Act of 1976

30233. (a) The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:

- (1) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities.
- (2) Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.

- (3) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities.
- (4) Incidental public service purposes, including but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.
- (5) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.
- (6) Restoration purposes.
- (7) Nature study, aquaculture, or similar resource dependent activities.
- (b) Dredging and spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation. Dredge spoils suitable for beach replenishment should be transported for these purposes to appropriate beaches or into suitable longshore current systems.
- (c) In addition to the other provisions of this section, diking, filling, or dredging in existing estuaries and wetlands shall maintain or enhance the functional capacity of the wetland or estuary. Any alteration of coastal wetlands identified by the Department of Fish and Game, including, but not limited to, the 19 coastal wetlands identified in its report entitled, "Acquisition Priorities for the Coastal Wetlands of California", shall be limited to very minor incidental public facilities, restorative measures, nature study, commercial fishing facilities in Bodega Bay, and development in already developed parts of south San Diego Bay, if otherwise in accordance with this division.
For the purposes of this section, "commercial fishing facilities in Bodega Bay" means that not less than 80 percent of all boating facilities proposed to be developed or improved, where such improvement would create additional berths in Bodega Bay, shall be designed and used for commercial fishing activities.
- (d) Erosion control and flood control facilities constructed on watercourses can impede the movement of sediment and nutrients that would otherwise be carried by storm runoff into coastal waters. To facilitate the continued delivery of these sediments to the littoral zone, whenever feasible, the material removed from these facilities may be placed at appropriate points on the shoreline in accordance with other applicable provisions of this division, where feasible mitigation measures have been provided to minimize adverse environmental effects. Aspects that shall be considered before issuing a coastal development permit for these purposes are the method of placement, time of year of placement, and sensitivity of the placement area.

30236. Channelizations, dams, or other substantial alterations of rivers and streams shall incorporate the best mitigation measures feasible, and be limited to (1) necessary water supply projects, (2) flood control projects where no other method for protecting existing structures in the flood plain is feasible and where such protection is necessary for public safety or to protect existing development, or (3) developments where the primary function is the improvement of fish and wildlife habitat.

30240. (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.

(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

30251. The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

Local Coastal Program

Policy C-5: Reduce the flow of sediment into the Slough to the minimum compatible with maintenance of the marshland.

Policy C-7: Any on-going activities of special districts such as Flood Control or Mosquito Abatement, etc., which constitutes development as defined in the Coastal Act shall be reviewed for approval by the City and must receive a Coastal Development Permit (or its equivalent) prior to commencement of activities.

Policy C-12: New development shall be sited and designed to protect water quality and minimize impacts to coastal waters by incorporating measures designed to ensure the following:

- Protect areas that provide important water quality benefits, that are necessary to maintain riparian and aquatic biota and/or that are particularly susceptible to erosion and sediment loss.
- Limit increases of impervious surfaces.
- Limit disturbance of natural drainage features and vegetation.
- Minimize, to the maximum extent feasible, the introduction of pollutants that may result in significant impacts from site runoff from impervious areas. New development shall incorporate Best Management Practices (BMPs) or a combination of BMPs best suited to reduce pollutant loading to the maximum extent feasible.

Zoning Ordinance:

COASTAL DEVELOPMENT PERMIT

28.44.150 Findings.

In order to approve a coastal development permit, all of the following findings shall be made:

- A. The project is consistent with the policies of the California Coastal Act; and
- B. The project is consistent with all applicable policies of the City's Local Coastal Plan, all applicable implementing guidelines, and all applicable provisions of the Code. (Ord. 5417, 2007.)

GOLETA SLOUGH COASTAL DEVELOPMENT PERMIT

29.25.030 Uses Permitted with a Goleta Slough Coastal Development Permit.

The following uses are permitted in the Goleta Slough Reserve Zone upon the issuance of a Goleta Slough Coastal Development Permit unless specifically exempted.

- A. Restoration projects in which restoration and enhancement are the sole purposes of the project.
- B. Incidental public service purposes, including but not limited to, installation, burying cables and pipes or inspection of piers, and maintenance of existing intake and outfall lines, where the project is necessary to maintain an existing public service and where it has been demonstrated that there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects.
- C. Nature study, bird watching, aquaculture, or other similar resource dependent activities.
- D. Alteration of rivers or streams only for the following purposes:
 - 1. Necessary water supply projects; or
 - 2. Flood control projects where no other method for protecting existing structures in the flood plain is feasible and where such protection is necessary for public safety or to protect existing development; or
 - 3. Developments where the primary function is the improvement of fish and wildlife habitat.
- E. Repair or maintenance activities of existing areas or facilities which do not result in an addition to or enlargement or expansion of the object of such repair or maintenance, unless exempted under Municipal Code Subsection 29.25.040.A.
- F. Other uses deemed consistent with the intent and purposes of this Chapter and allowed under Public Resources Code Section 30233.

29.25.050 Findings.

Prior to the approval of a Goleta Slough Coastal Development Permit by the Planning Commission, or City Council upon appeal, all of the following must be found:

- A. The project is consistent with the City's Coastal Land Use Plan and all applicable provisions of the Code.
- B. The project is consistent with the policies of the California Coastal Act.
- C. The proposed use is dependent upon the resources of the environmentally sensitive area or the proposed use is found to be consistent with Section 30233 of the Coastal Act.
- D. Development in areas adjacent to an environmentally sensitive area shall be designed to prevent impacts which would significantly degrade such area and shall be compatible with the continuance of such habitat.
- E. A natural buffer area of 100 feet will be maintained in an undeveloped condition along the periphery of all wetland areas. Where development of the Airfield Safety Projects renders maintenance of a 100 foot buffer area between new development and delineated wetlands infeasible, the maximum amount of buffer area is provided and all impacts to wetland habitat will be mitigated to the maximum extent feasible such that no net loss of wetland habitat occurs.
- F. The proposed use shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific and educational purposes.
- G. The proposed project includes adequate impact avoidance and mitigation measures to ensure protection of rare, threatened, or endangered species, that are designated or candidates for listing under State or Federal law, "fully protected" species and/or "species of special concern," and plants designated as rare by the California Native Plant Society.
- H. There is no less environmentally damaging alternative to the proposed development, all feasible mitigation measures have been provided to minimize adverse environmental effects and, if applicable:
 1. All dredged spoils shall be removed from the wetland area to avoid significant disruption to wildlife habitat and water circulation.
 2. Diking, filling or dredging in the Goleta Slough shall maintain or enhance the functional capacity of the wetland or estuary.
- I. Channelizations or other substantial alteration of rivers and streams shall incorporate the best mitigation measures feasible.
- J. Archaeological or other culturally sensitive resources within the Goleta Slough are protected from impacts of the proposed development.
- K. The proposed use shall minimize any adverse effects of wastewater discharges, run-off and interference with surface water flow.
- L. Sedimentation from the proposed development has been reduced to a minimum and is compatible with the maintenance of the wetland area.
- M. The proposed project enhances public educational or recreational opportunities at the Goleta Slough including, but not limited to:
 1. Providing area(s) and facilities on the periphery of the wetland for recreational and educational use of the Slough; or,
 2. Developing educational tour routes and procedures for such tours in dry land areas of the Slough.Educational/explanatory signs shall be included as part of any walking tour or viewing facilities project.

GOLETA SLOUGH RESERVE ZONE (G-S-R)

29.25.010 In General.

The Goleta Slough Reserve Zone is established in order to protect, preserve and maintain the environmentally sensitive habitat areas of the Goleta Slough for the benefit and enjoyment of future generations. The intent of this Chapter is to ensure that any development in or adjacent to any wetland area is designed to preserve the wetland as it exists or improve the habitat values of the Goleta Slough Reserve Zone.

Land classified in the G-S-R Zone may also be classified in another zone. Where a conflict occurs between the provisions in this chapter and other laws or other regulations effective within the City, the more restrictive of such laws or regulations shall apply.

29.25.020 Requirements and Procedures.

A. **COASTAL DEVELOPMENT PERMIT REQUIRED.** In addition to any other permits or approvals required by the City hereafter, a Goleta Slough Coastal Development Permit shall be required prior to commencement of any

development within the Goleta Slough Reserve Zone, unless specifically excluded. A Coastal Development Permit under the provisions of Chapter 28.44, shall not be required if the proposed project is only in the G-S-R and S-D-3 Zones; however, a Goleta Slough Reserve Coastal Development Permit shall be required, unless specifically excluded. If a development is in another zone in addition to the G-S-R and S-D-3 zones, both a Coastal Development Permit under this Chapter and under Chapter 28.44 shall be required, unless specifically excluded. If a development is excluded from a Goleta Slough Coastal Development Permit, as stated in Section 29.25.040 of this Chapter, it shall also be excluded from a Coastal Development Permit under Chapter 28.44 of the Municipal Code.

B. PERMIT PROCESS. The regulations set forth in Chapter 28.44 of the Municipal Code, except as they pertain to the application for a separate Coastal Development Permit, shall apply to the processing of a Goleta Slough Coastal Development Permit application.

C. SUBMITTAL REQUIREMENTS. In addition to the information required to be submitted with an application for a Coastal Development Permit, or any other application requirements of the Community Development Department, the following information must be submitted with an application for a Goleta Slough Coastal Development Permit:

1. Development Plan: A development plan, clearly and legibly drawn, the scale of which shall be large enough to show clearly all details thereof and shall contain the following information:
 - (a) Contour lines of existing grade with a minimum of two (2) foot intervals;
 - (b) Dimensions of proposed development and location of proposed use with scale, date and north arrow;
 - (c) Finished grade contours after completion of development or use clearly showing the location of all proposed grading, cut and fill;
 - (d) The location of proposed access to the development site during construction and after the project is completed;
 - (e) The location for the stockpiling of any dredged materials or storage of supplies and equipment during or after construction;
 - (f) Habitat mapping and impact assessment by a qualified wetland biologist identifying all upland and wetland habitat locations within at least 100 feet from any development, access way, storage site or disturbed area and discussion of any impacts to the wetland or the 100 foot buffer along the periphery of the wetland. Wetland delineations shall be prepared in accordance with the definitions of Section 13577(b) of Title 14 of the California Code of Regulations;
 - g. An identification of habitat area that supports rare, threatened, or endangered species that are designated or candidates for listing under State or Federal law, "fully protected" species and/or "species of special concern," and plants designated as rare by the California Native Plant Society;
 - h. Water Quality Mitigation Plan (WQMP) and Stormwater Pollution Prevention Plan (SWPP) details consistent with the criteria of LUP Policies C-12 and C-13.
 2. Written description of the project including the purpose of the project and an anticipated schedule for construction and completion.
 3. Elevations of the proposed structure from all sides.
 4. Written comment on the proposed use or development from the State of California Department of Fish and Game. Review by the Department of Fish and Game shall be coordinated through the City of Santa Barbara Community Development Department Staff.
 5. An identification and description of rare, threatened, or endangered species, that are designated or candidates for listing under State or Federal law, and identification of "fully protected" species and/or "species of special concern," and plants designated as rare by the California Native Plants Society, and avoidance, mitigation, restoration and monitoring measures/plan details consistent with the criteria of LUP Policies C-14 and C-15; and
 6. Written description and impact assessment of sensitive archaeological or other culturally sensitive resources and details of avoidance, mitigation and monitoring measures necessary to avoid potential impacts.
 7. Other information reasonably required by the Community Development Department.
- D. NOTICING. Refer to Chapter 28.44 for noticing requirements.

AIRPORT INDUSTRIAL ZONE (A-I-1)

29.21.001 In General.

The following regulations shall apply in the A-I-1 and A-I-2 Airport Industrial Zones unless otherwise provided in this ordinance.

29.21.005 Legislative Intent.

It is the intent of the Airport Industrial Zones to provide area for light industrial and manufacturing uses, such as research and development, electronic products manufacture and similar uses, subject to performance and development

standards, consistent with the policies contained in the Airport Industrial Area Specific Plan, also known as Specific Plan #6. Specific Plan #6 provides for a graduated change in intensity with more intense development closer to Hollister Avenue in the A-I-2 Zone, including commercial services, such as branch bank, printing and photographic shop, convenience store, secretarial service and restaurant, and light industrial uses. Intensity decreases in the A-I-1 Zone toward the railroad tracks where open yard uses, such as outdoor storage, and contractor's, lumber, sand and brick yards, are allowed. The A-I-1 and A-I-2 Zones define where different intensities of use are allowed in accordance with the Specific Plan. Establishment of commercial services to serve employees of businesses within the Airport Specific Plan area will help reduce traffic. The City of Santa Barbara believes that it is important to minimize direct conflicts between the Airport and Goleta commercial areas; therefore, general commercial retail uses are not allowed because these uses are available in Old Town Goleta and other nearby areas.

29.21.030 *Uses Permitted.*

Any of the following uses, provided that such operations are not obnoxious or offensive by reason of emission or odor, dust, gas, fumes, smoke, liquids, wastes, noise, vibrations, disturbances or other similar causes which may impose hazard to life or property. Whether such obnoxious or offensive qualities exist or are likely to result from a particular operation or use shall be determined from the point of view of all immediately adjoining land and uses and considering the performance and development standards to which they are subject.

A. In the A-I-1 Zone:

The following uses are expressly permitted in the A-I-1 Zone:

1. Appliance and equipment service and repair.
2. Automobile tire installation and repair performed entirely in an enclosed building.
3. Cabinet making or refinishing.
4. Electronic products manufacturing and sales.
5. Freight terminal.
6. Household hazardous waste facility, subject to issuance of a Conditional Use Permit.
7. Laboratory.
8. Manufacture, assembly, processing and distribution of products.
9. Office or retail sales incidental and accessory to any allowed use.
10. Public and quasi-public utility or maintenance facilities, including pump plant, transformer yard, switching station, service and equipment yard and similar uses.
11. Recycling business, subject to the issuance of a Conditional Use Permit.
12. Research and development establishment and related administrative operations.
13. Storage and distribution warehouse.
14. Any use allowed in the A-F Zone.
15. The following open yard uses are allowed north of Francis Botello Road only:
 - a. Automobile repair and body shop.
 - b. Brick yard.
 - c. Concrete and asphalt products storage and manufacture.
 - d. Contractor's yard.
 - e. Lumber yard, including retail sales of lumber only.
 - f. Metal products storage, manufacture and distribution.
 - g. Open storage and rental of vehicles, trailers, recreational vehicles, mobilehomes, equipment and/or materials.
 - h. Rock, sand and gravel yard.
16. The following additional uses are allowed in buildings designated as a Structure of Merit under the provisions of Chapter 22.22 of this Code or determined to be eligible for such designation:
 - a. Any use allowed in the Airport Commercial (A-C) Zone.
 - b. Any use allowed in the Commercial Recreation (C-R) Zone.
17. Other uses determined to be appropriate by the Planning Commission.

B. In the A-I-2 Zone:

The following uses are expressly permitted in the A-I-2 Zone:

1. Any use allowed in the A-I-1 Zone, except household hazardous waste facility, recycling business and open yard uses.
2. Auto diagnostic center.
3. Bookkeeping, accounting and/or tax service.
4. Branch bank, branch savings and loan office, credit union or automatic teller machine, subject to the following provisions:
 - a. No similar facility is located within three hundred feet (300') of the subject facility.
 - b. There shall be no drive-up window or drive-up automatic teller machine.

c. Services are limited to deposits, check cashing, cashier and travelers checks issuance, acceptance of loan applications and night deposits. Loan applications processing is excluded.

5. Convenience store not exceeding 2,500 square feet in size.
6. Copying and duplicating service.
7. Courier and small package delivery service.
8. Dry cleaning establishment.
9. Mailing service and supply.
10. Motorcycle or bicycle and related accessories sales and repair.
11. New car agency, including accessory repair conducted entirely within a building or enclosed area.
12. Office supply sales.
13. Photographic shop including photographic developing.
14. Printing, lithographing, photocopying or publishing establishment.
15. Restaurant.
16. Secretarial service.
17. Temporary employment service.
18. Used car sales.
19. Any use allowed in the C-R Zone on property immediately west of Frederic Lopez Road (adjacent to the C-R Zone) when developed in conjunction with a use in the area zoned C-R, immediately east of Frederic Lopez Road, as shown in the Airport Industrial Area Specific Plan.
20. Other uses determined to be appropriate by the Planning Commission.