

**SANTA BARBARA COUNTY  
BOARD AGENDA LETTER**



Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

**Agenda Number:**  
**Prepared on:** 11/9/05  
**Department Name:** Public Works  
**Department No.:** 054  
**Agenda Date:** 12/6/05  
**Placement:** Administrative  
**Estimate Time:**  
**Continued Item:** NO  
**If Yes, date from:**

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**TO:** Board of Supervisors

**FROM:** Phil M. Demery, Director  
Public Works Department

**STAFF** Mark A. Schleich, Deputy Director  
**CONTACT:** Kathy Kefauver, Sr. Engineering Environmental Planner X3614

**SUBJECT:** Santa Maria Airport Closed Landfill Cover Repair Project  
Environmental Impact Report  
Fifth Supervisorial District

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**Recommendation(s):**

That the Board of Supervisors:

That the Board of Supervisors:

- A. Certify that the Final Environmental Impact Report, 05-EIR-00000-00008, for the Santa Maria Airport Closed Landfill Cover Repair Project 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 EIR, 05-EIR-00000-00008, as well as information presented during the September 8, 2005 public hearing prior to approval of the project, and adopt the CEQA Findings and Statement of Overriding Considerations included as Attachment 1;
- C. Approve the Proposed Project (repair of the landfill cover with soil) as the preferred project description;
- D. Adopt the mitigation measures, with their corresponding monitoring requirements, as the Mitigation Monitoring and Reporting Program for this project (Attachment 2); and
- E. Direct the Public Works Department to apply for Federal permits to the extent required by law.

### **Alignment with Board Strategic Plan:**

The recommendation(s) are primarily aligned with Goal No. 2. A Safe and Healthy Community in Which to Live, Work, and Visit.

### **Executive Summary and Discussion:**

The County of Santa Barbara Public Works Department, Resource Recovery and Waste Management Division (Division), is responsible for the maintenance and management of the County's active and closed solid waste disposal facilities. The Division maintains ten closed landfills. The Santa Maria Closed Landfill is located on the Santa Maria Airport property. The cover of the landfill has been eroded by wind and water, a condition that has been exacerbated by unauthorized recreational motorcycle use. The proposed project is to repair the landfill cover in accordance with California Code of Regulations (CCR) Title 27, Subchapter 5. Article 1, Section 20950(a) (2) (A) (1).

Settlement of the refuse has resulted in depressions in the landfill's cover that collect water and increases the potential for water to infiltrate the waste resulting in decreased groundwater quality. Waste in the landfill has also been exposed and the cover requires repair to sufficiently bury the waste in accordance with State regulations.

Four monitoring wells are located in the vicinity of the closed landfill that monitors groundwater quality in the vicinity of the landfill. Volatile organic compounds (VOCs) have been detected in one well that monitors groundwater under the landfill. Repair of the landfill cover is intended to minimize infiltration of storm water into the waste mass by minimizing ponding on the landfill surface. Reducing the quantity of water that would infiltrate the waste reduces the quantity of landfill leachate produced by the landfill that would potentially migrate to groundwater and be a threat to groundwater quality.

The Regional Water Quality Control Board (RWQCB) and the Local Enforcement Agency (LEA), as the agencies charged with implementing the regulation, have required the Division to repair the closed landfill's cover as soon as possible. The project is to repair the cover of the closed Santa Maria closed landfill by increasing the thickness of the cover. Soils would be redistributed over the landfill or soil will be imported from off site. During cover repair operations and following the cover repair project, Best Management Practices (BMPs), such as setbacks from the edge of wetland areas and stabilizing the final cover with vegetation (i.e. seeding) would be implemented to control sedimentation to wetland areas and control erosion of the cover in the long term. Currently motorcycle activity is evident on the landfill. Signs and/or a fence/barrier to exclude motorcycles from the closed landfill and thus reduce erosion of the closed landfill's cover would be investigated.

The landfill is located in proximity to the Santa Maria Airport. The proposed project would not impact Airport operations or facilities since the elevation and land use of the landfill will be unchanged from existing conditions.

The landfill is also located in the watershed of a vernal pool complex that has been designated part of critical habitat area #1 for the California Tiger Salamander (CTS). The landfill berm acts to collect water on an adjacent private parcel in a pool immediately east of the landfill. The pool has not been surveyed for presence of CTS, however, because of the proximity to other breeding pools, there is a potential for the pond to provide seasonal breeding habitat for the CTS, a Federally-listed endangered species. California red-legged frog (CRLF) and Vernal Pool Fairy Shrimp, both Federally-listed threatened species and western spadefoot toad (WST), a Federal species of concern and California species of special concern, may also use

the pool to breed. These amphibians breed in seasonal pools, and then move to upland areas where small mammal burrows are used as over-summering habitat in the dry months. The cover repair project may result in incidental take of CTS, CRLF, and WST and temporarily destroy the small mammal burrows within the landfill that provide upland habitat for these species.

The Division has prepared an Environmental Impact Report (EIR) 05-EIR-00000-00008 to evaluate the impacts of repairing the landfill cover to minimize infiltration of storm water into the waste mass by minimizing ponding on the landfill surface. Reducing the quantity of water that would infiltrate the waste reduces the quantity of landfill leachate produced by the landfill that would potentially migrate to groundwater and be a threat to groundwater quality.

### **Public Process**

The environmental review process for the project began on September 2, 2004 with a release of a Notice of Preparation (NOP). A Draft EIR for the Santa Maria Airport Closed Landfill Cover Repair Project was released for public review on July 29, 2005. The public review period closed on September 12, 2005. An environmental hearing was held on September 8, 2005 in Santa Maria. All comments received on the Draft EIR have been responded to in the Response to Comments sections of the proposed Final EIR.

### **Proposed Project**

Soil would be used to repair the landfill cover. The thickness of the soil varies considerably due to the effects of motorcycle and wind and water induced erosion. Some areas of the closed landfill exceed a 2-foot cover thickness, while in other areas the cover has eroded away and trash is exposed. Depending on the thickness of the cover, soil importation may or may not be required.

Significant unavoidable impacts were identified to Biological Resources (threatened and endangered species). Mitigation measures have been required through the EIR to reduce these significant impacts.

Should the Board approve the Project, the following permits are required prior to implementation of the Project:

- Section 10(a) Permit in compliance with the Federal Endangered Species Act from the U.S. Fish and Wildlife Service
- National Pollution Elimination Discharge System (NPDES) permit from the Central Coast Regional Water Quality Control Board.

### **Alternatives**

Pursuant to Section 15126.6 of the CEQA Guidelines, the following range of alternatives were evaluated in the EIR to determine the potential to eliminate or reduce potentially significant impacts while meeting basic project objectives. Three alternatives, the no project alternative, the reduced project alternative and alternative capping via asphalt paving over the entire site have been considered in the Final EIR. The no project alternative would not have any impacts but would not fulfill the objectives of the project. The reduced project (repair the cover over a smaller area of the landfill) alternative would have similar impacts on threatened and endangered species when compared to the proposed project but would not repair the cover

over the entire landfill and would allow continued infiltration of storm water into the landfill and continued degradation of groundwater. Neither alternative would meet the regulatory requirements to repair the landfill cover to protect groundwater resources and therefore, would not fulfill the objectives of the project.

Paving the landfill would meet the regulatory requirements, but would permanently remove upland habitat for the CTS, and adversely impact CTS, CRLF and WST, causing significant short- and long-term impacts to upland habitat available to these species. The proposed project would disturb small mammal burrows in the short-term, during and following construction but small mammals are expected to re-colonize the landfill. Therefore the proposed project has been determined to be the environmentally superior alternative. Although significant impacts would occur to CTS, CRLF and WST during the short-term repair project, in the long-term it is expected that small mammal burrows would become reestablished and provide habitat for the CTS, CRLF and WST. Repair of the landfill cover in accordance with existing regulations would maximize protection of groundwater resources and fulfill the objectives of the project.

None of the alternatives, including the no project alternative were determined to be both environmentally superior to the proposed project.

### **EIR Issues from Public Comment**

#### **Biology**

At the public hearing held on the adequacy of the Draft EIR, comments concerning the Vernal Pool Fairy Shrimp, a Federally-listed threatened endangered species that potentially occupy area vernal pools were identified as a species that could potentially be impacted by the project. The project would be conducted during the dry season and in contrast to the CTS, CRLF and WST, the Vernal Pool fairy shrimp does not require upland habitat for a portion of its lifecycle. This information has been added to the Final EIR.

#### **Mitigation Measures**

Mitigation measures have been developed to address significant impacts (Class I impacts) on Biological Resources. These measures would potentially lessen impacts, but not to a level of insignificance.

The Division shall initiate consultation with the USFWS and submit a Habitat Conservation Plan (HCP) to comply with the requirements of the Federal Endangered Species Act for potential take of CTS and CRLF. The following mitigation/conservation measures shall be included in the HCP:

1. To reduce impacts to CTS, CRLF WST and Vernal Pool Fairy Shrimp, the following actions shall be implemented during the landfill cover repair project:
  - a) All personnel doing work at the site will receive environmental awareness training, which will describe the appearance of CTS, CRLF WST and Vernal Pool Fairy Shrimp, the applicable provisions of the Endangered Species Act, the importance of protecting the covered species and their habitat, and the required mitigation measures. The environmental awareness program will be prepared and presented by a USFWS-approved biologist. The presentation will be submitted to the USFWS for review and approval.

- b) At least 15 days prior to the onset of placing soil cover on the landfill the Division shall submit the name(s) and credentials of biologists that would conduct activities specified in the following measures to the USFWS. No project activities shall begin until the Division receives verbal/written approval from the USFWS that the biologist(s) is/are qualified to conduct the work.
  - c) A minimum of seven days and no longer than 30 days prior to the placement of soil, a USFWS-approved biologist shall number, map and flag burrows in the field with pin flags marked with the burrow number. Burrows shall be hand excavated or video examined either by, or under the direction of, a USFWS-approved biologist.
  - d) No work shall be conducted prior to sunrise or after sunset when CTS, CRLF and WST are most active.
  - e) The landfill cover repair project activities shall avoid the vernal pool to the south of the landfill and CTS, CRLF, WST and Vernal Pool Fairy Shrimp breeding season, typically defined from November to April unless authorized by the USFWS.
  - f) A USFWS-approved CTS and CRLF biologist will be present during soil placement for the cover repair.
  - g) The USFWS-approved biologist shall have the authority to halt any action that might result in impacts that exceed the levels anticipated by the USFWS during review of the proposed action. If work is stopped, approved biologist or onsite biological monitor shall notify the USFWS immediately.
  - h) The USFWS biologist shall remove and relocate any CTS, CRLF and/or WST from within the work area to upland habitat in proximity of the landfill or other location mutually agreeable to the Division and the USFWS.
  - i) Trash generated by construction crews shall be collected and placed in a secure container daily from the site to avoid attracting predators.
  - j) All fueling and maintenance of vehicles and other equipment shall occur at least 100 feet from any wetland (i.e. the pool adjacent to the landfill and the swale that bisects the landfill) or other water body. The Division shall ensure that contamination of habitat does not occur during such operations. Prior to the onset of work, the USFWS shall ensure that the Division has prepared a spill prevention plan to allow a prompt and effective response to any accidental spills. All workers shall be informed of the importance of preventing spills and of the appropriate measures to take should a spill occur.
  - r) Access to the landfill shall be from the northeast on existing roads to avoid impacting the pool south of the landfill
  - s) To control erosion during and after project implementation, the applicant shall implement best management practices (BMPs) as identified by the RWQCB.
2. To minimize motorcycle use on the landfill, fencing or other type of barrier to prohibit or discourage motorcycle trespass shall be erected. Signs to limit encroachment and/or disallowed uses shall be installed.

Mitigation measures have been developed to reduce potentially significant impacts to a less than significant level (Class II impacts) in the issue areas of Air Quality, Geology, and Water Quality.

#### Air Quality

1. All trucks carrying soil to the site shall be tarped and wetted in order to minimize dust generation.
2. During excavation and loading, a water truck shall be used to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this would include wetting down such areas to eliminate visible dust.

#### Geology

Mitigation measures for erosion impacts have been included in the Air Quality and Biological Resources sections of the EIR.

#### Water Quality

Water quality impacts would be addressed by mitigation measures for Air Quality and Biological Resources impacts. Repairing and stabilizing the closed landfill cover would potentially eliminate a source of sedimentation to the pool south of the closed landfill and be considered a beneficial impact.

### **Mitigation Monitoring and Reporting Program**

CEQA Section 15091(d) requires “(d) When making the findings required in subsection (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.”

CEQA Section 15097(a) ensures “... that the mitigation measures and project revisions identified in the EIR or negative declaration are implemented, the public agency shall adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects.”

The impact description, mitigation measures and enforcement agency is designated in the attached Mitigation and Monitoring Reporting Program (Attachment 2). This Mitigation and Monitoring Reporting Program would ensure compliance with the mitigation measures during project implementation.

### **Conclusions**

Staff recommends that the Board approve the proposed Project as the preferred project description (Proposed Project). The EIR has considered public comments, identified impacts associated with the Santa Maria Airport Closed Landfill and identified mitigation measures necessary to reduce impacts to the maximum extent feasible while meeting the project objectives and in accordance with State regulations governing closed landfills.

Staff also recommends that the Board direct staff to obtain a permit from the US Fish and Wildlife Service to remove the stockpile in compliance with the Federal Endangered Species Act and a National Pollution Discharge Elimination System (NPDES) permit from the Regional Water Quality Control Board.

Further, staff recommends that your Board adopt the mitigation measures, with their corresponding monitoring requirements, as the Mitigation and Monitoring and Reporting Program for this project (Attachment 2) to ensure that the mitigation measures and project revisions identified in the EIR or negative declaration are implemented to mitigate or avoid significant environmental effects.

**Mandates and Service Levels:**

Certification of the EIR will allow staff to continue to maintain the Santa Maria Airport Closed landfill as directed by the Central Coast Regional Water Quality Control Board and the Local Enforcement Agency in accordance with State mandated regulation governing landfills.

**Fiscal and Facilities Impacts:**

Certification of the EIR will allow staff to complete the landfill cover repair as directed by the Central Coast Regional Water Quality Control Board and the Local Enforcement Agency thus bringing the facility into compliance with existing closed landfill regulations. Funds for the proposed cover repair project will come from the Resource Recovery & Waste Management Enterprise Fund.

**Special Instructions:**

The Clerk of the Board to file the Notice of Determination and send a copy of the minute order to the Resource Recover & Waste Management Division office, attn: Georgia Navarro.

**Concurrence:**

County Counsel

**Attachments:**

Attachment 1: CEQA Findings and Statement of Overriding Considerations

Attachment 2: Mitigation Monitoring and Reporting Program

Attachment 3: Executive Summary (Section 1.0) of the Santa Maria Airport Closed Landfill Cover Repair Project Final EIR