

Attachment A

ATTACHMENT A: FINDINGS

1.0 CEQA FINDINGS

ADDENDA TO ENVIRONMENTAL IMPACT REPORT OR NEGATIVE DECLARATION

FINDING THAT PREVIOUS ENVIRONMENTAL DOCUMENT CAN BE USED PURSUANT TO CEQA GUIDELINES SECTIONS 15162 AND 15164:

1.1 CONSIDERATION OF THE ADDENDUM TO 12EIR-00000-00002 AND FULL DISCLOSURE

The Board of Supervisors has considered the revised Addendum (Attachment C of the Board Letter, incorporated herein by reference), together with the previously certified EIR 12EIR-00000-00002, Revision Letter and Errata dated May 27, 2016 for the Tajiguas Resource Recovery Plan Project (TRRP), together with the Tajiguas Landfill Expansion Project (01EIR-05), the November 8, 2006 Addendum, and the Tajiguas Landfill Reconfiguration and Baron Ranch Restoration Project Subsequent EIR (08EIR-00000-00007) (Attachment B of the Board Letter, incorporated herein by reference). The revised Addendum to 12EIR-00000-00002 reflects the independent judgment and analysis of the Board of Supervisors and has been completed in compliance with CEQA. The revised Addendum, together with the EIR 12EIR-00000-00002 and other EIR documents, is adequate for this proposal. On the basis of the whole record, including the revised Addendum, the previously certified CEQA document, and any public comments received, the Board of Supervisors finds that no subsequent environmental review shall be prepared according to CEQA Guidelines Section 15162 since there are no substantial changes proposed in the project which will require major revisions to the EIR; no substantial changes have occurred with respect to the circumstances under which the project is undertaken; and there is no new information of substantial importance.

1.2 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 Clerk of the Board of Supervisors located at 105 East Anapamu Street, Santa Barbara, CA 93101.

1.3 FINDINGS ADDRESSING ADDENDUM ISSUE AREAS

The revised Addendum to 12EIR-00000-00002 that was prepared for the Revised TRRP project addressed the following issues: visual resources/aesthetics, air quality, biological resources, hazards and hazardous materials, geologic processes, cultural resources, noise, land use, and water resources. Each of these impacts is addressed in the revised Addendum to 12EIR-00000-00002 (Attachment C of the Board Letter, incorporated herein by reference).

There are no substantial changes proposed in the project which will require major revisions to the EIR because the project's geographic scope and facilities remain generally the same. The project is visually subordinate, will minimize vegetation clearance, will not disturb agricultural operations on neighboring parcels, would not increase biological resource impacts, does not contain cultural resources, will not result in a greenhouse gas emissions increase, does not change noise exposure, and minimizes land disturbance to the maximum extent feasible. Updated studies and analyses included in the Addendum provide substantial evidence that the project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects as compared to the project approved by the Board of Supervisors and analyzed in the Final Subsequent EIR (12EIR-00000-00002 [SCH #2012041068]), certified on July 12, 2016 (Attachment B of the Board Letter, incorporated herein by reference).

In addition, no substantial changes have occurred with respect to the circumstances under which the project is undertaken because landfill operations would continue to occur within the landfill operational area. Changes are proposed to move the footprint of some of the TRRP facilities outside the Coastal Zone; however, the changes do not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Further, there is no new information of substantial importance that shows a) that the Revised TRRP will have significant effects not discussed in the SEIR for the approved project, b) that significant effects will be substantially more severe than previously shown, c) that mitigation measures or alternatives have been found feasible that the County has declined to adopt, or d) that there are considerably different mitigation measures or alternatives that will substantially reduce significant project effects and which the County has declined to adopt.

2.0 ADMINISTRATIVE FINDINGS

2.1 COMPREHENSIVE PLAN AMENDMENT FINDINGS

Findings Required for Approval of Amendments (§35.104.060).

An application for an Amendment to the Comprehensive Plan, Development Code or Zoning Map may be approved only if the review authority first makes all of the following findings, as applicable to the type of Amendment.

A. Findings for Comprehensive Plan, Development Code and Zoning Map Amendments.

1. The request is in the interests of the general community welfare.

The Tajiguas Landfill has been in operation and served the community since 1967 for the disposal of municipal solid waste. The request is in the interests of

the general community welfare because the project will alter the Waste Disposal Facility Overlay to accommodate the relocated AD Facility. The Revised TRRP is intended to substantially extend the life of the Tajiguas Landfill, meet or exceed the requirements of Assembly Bill 341 to recycle 75% of waste by 2020, provide a long-term (20+ year) solution to the region's solid waste management needs, and ensure that the facility is reasonably accessible to all communities currently served by the Tajiguas Landfill while minimizing environmental and community impacts. The project would provide long-term financial stability to limit impacts to the affected ratepayers. In addition, the development of the material recovery facility and anaerobic digester provides the South Coast and Santa Ynez Valley region with the necessary processing infrastructure to maximize the recovery of usable resources as well as reduce greenhouse gas emissions associated with solid waste management. To date, the Revised Tajiguas Resource Recovery Project provides the greatest amount of greenhouse gas emission reductions of any other single project included in any of the South Coast jurisdictions' Climate Action Plans.

The project would be in the interest of the general community welfare because it would:

- A. Process municipal solid waste (MSW) currently disposed of at the Tajiguas Landfill with a diversion rate goal of 60 percent.
- B. Maximize the reduction of future greenhouse gas emissions associated with the transportation, processing and disposal of MSW consistent with CalRecycle's Anaerobic Digestive Initiative and Assembly Bill 32.
- C. Provide green energy to the region by specifically producing energy that is certified as "Renewable Portfolio Standard" eligible as defined by the California Energy Commission.
- D. Provide a cost-effective tipping fee for solid waste management services compared to alternative disposal methods¹.
- E. Construct and operate a project that can adapt to the changing waste management needs of the region.
- F. Provide a safe and humane work environment for all employees.

The Amendment will enable landfill-related facilities, including the AD Facility, to be located within the Overlay boundary. The Amendment will remove approximately 55.55 acres on APN 081-150-026 from the Waste Disposal Facility Overlay, which is not needed for solid waste disposal operations and much of which is mapped as Environmentally Sensitive Habitat (ESH) in the Gaviota Coast Plan. The Amendment will also change the Waste Disposal Facility Overlay to add 4.48 acres of existing permitted operational Landfill area to accommodate changes to the Tajiguas Resource Recovery Project. The Revised TRRP provides the flexibility to augment and adapt resource recovery processes at the Landfill, and does not include expansion of the waste disposal

¹ As part of the Vendor RFP process conducted in 2009, a cost-effective tipping fee was determined to be less than \$100/ton. While this cost has increased since 2009, the cost for the centralized project, which recovers resources and captures greenhouse gases, most cost-effectively manages the region's waste.

area or overall Landfill capacity. Further, the project will not reduce the total acreage of agricultural operations on Baron Ranch.

The Revised TRRP's anaerobic digester was selected to process large volumes of organics into compost as the best choice for our community's needs for the following reasons:

- Anaerobic digestion accelerates the digestion (or degradation) process for the organics by introducing organisms and closely monitoring the conditions to enhance composting through an enclosed building;
- The acceleration of the digestion process allows the processing of more material in a smaller space;
- Odors are more controlled in an enclosed facility than the aerobic composting of organics;
- Less water is required through the dry fermentation anaerobic digester that was selected for this project. At the onset of the project, water is used as the vehicle to introduce the organisms to the organics; however, water is re-circulated for future uses, requiring the overall use of very little water; and,
- By degrading material in an enclosed environment, biogases created during the decomposition process (particularly methane) are captured and ultimately converted to energy. The anaerobic digester is a net producer of renewable energy while an outdoor facility is less able to capture the gas and is a net energy user.

The Revised TRRP includes the ability for organics to be sorted out of mixed waste by the Materials Recovery Facility (MRF) as well as processing source separated organics (such as food waste) at the AD Facility. Since the organics proposed to be processed by the AD Facility are currently being buried, the production of up to 25,000 tons per year of mature compost will be added to the local supply of compost, which will assist local carbon farming initiatives.

In summary, the project is in the interest of the general community welfare because it provides more suitable land for facility development and efficient operations without adversely affecting ESH or adjacent agricultural land. The project results in the ability to process large amounts of organics from mixed waste and source separated waste with technology that meets the community's needs. Overall, it provides a way for the County to meet its solid waste management goals and State mandates.

2. The request is consistent with the Comprehensive Plan, the requirements of the State planning and zoning laws, and this Development Code.

The request is consistent with the County's Comprehensive Plan including, but not limited to, the Land Use Element, Gaviota Coast Plan, and State planning

and zoning laws as discussed in the revised Comprehensive Plan Policy Consistency Analysis (Attachment G of the Board Letter, incorporated herein by reference) and in the Planning Commission staff report (Attachment D of the Board Letter, incorporated herein by reference). Since the inland Tajiguas Landfill property is exempt from zoning permit requirements pursuant to LUDC Section 35.10.040.G.1.b., the Revised TRRP is not subject to the LUDC, as discussed in Section 5.3 of the Planning Commission staff report (Attachment D of the Board Letter). Therefore, the portion of the finding regarding consistency with the Development Code is not applicable.

3. The request is consistent with good zoning and planning practices.

The project is consistent with good zoning and planning practices as it is consistent with local and state planning regulations, as discussed in Section 6 of the Planning Commission staff report, dated August 14, 2017 (Attachment D to the Board Letter). The congruity of the Waste Disposal Facility Overlay and the landfill operational area provides for good zoning and planning practices because the Overlay identifies areas in the County for the disposal of waste materials. Keeping the Waste Disposal Facility Overlay and landfill operational area consistent provides for a better understanding of where landfill activities are currently located and where landfill activities could take place in the future.

Further, the modification to the Overlay is intended to facilitate the Revised TRRP, the purpose of which is to reduce emissions and extend the life of the Landfill. This will result in delaying the need to find alternative sites for solid waste disposal in the future, which is consistent with good zoning and planning practices. The project would retain the landfill use for the community, and the acreage to be incorporated into the Waste Disposal Facility Overlay from the County-owned Baron Ranch parcel is located within the existing Solid Waste Facilities Permit operational area boundary and Landfill operational area. The 4.48 acres being added to the Waste Disposal Facility Overlay is an already disturbed area used for perimeter access and drainage that was analyzed in 01EIR-00000-00005 and certified by the Board of Supervisors on August 13, 2002. The Comprehensive Plan Amendment does not change the ability to conduct landfill activities on the portion of APN 081-150-032 that was analyzed in the Tajiguas Landfill Expansion Project and that is included in the Solid Waste Facilities Permit; however, it does ensure that the Waste Disposal Facility Overlay includes the relocation of the proposed AD Facility and associated facilities. The project would also remove land from the Overlay that is not anticipated to be used for Landfill development or activities. The change to the Overlay would not impact the long-term viability of nearby agricultural operations. In addition, the Revised TRRP, which would be facilitated by the Amendment to the Overlay boundary, will not result in significant adverse environmental impacts as identified in Finding 1.0. The Revised TRRP is consistent with the Environmental Quality Assurance Program (EQAP) action items. Therefore, this finding is consistent with good zoning and planning

practices.

B. Additional finding for Comprehensive Plan Amendments.

- 1. Government Code Section 65358 requires a Comprehensive Plan amendment to be in the public interest. If the request is for an amendment to the Comprehensive Plan, then the review authority shall also find that the request is deemed to be in the public interest.**

The project is in the public interest because it benefits the Tajiguas Landfill operations by providing suitable land for facility development without developing further in the Coastal Zone or adversely affecting the long-term open space, recreation activity, and agriculture operations on the Baron Ranch parcel.

The project is also in the public interest because it amends the Waste Disposal Facility Overlay to accommodate the relocated AD Facility.

As discussed in Finding 1, above and incorporated herein by reference, the project would substantially extend the life of the Tajiguas Landfill, meet or exceed the requirements of Assembly Bill 341 to recycle 75% of waste by 2020, provide a long-term solution to the region's solid waste management needs, provide green energy to the region, and ensure that the facility is accessible to all communities currently served by the Tajiguas Landfill, all of which are in the public interest.