UPDATED CARPINTERIA SALT MARSH ENHANCEMENT PLAN

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

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1. Project Summary

The Carpinteria Salt Marsh Enhancement Plan was developed to address both flood control needs and habitat enhancement goals. The Enhancement Plan has been under implementation since it was approved in 2003. Prior to 2003, The Marsh was desilted under emergency response in the 1990s and prior to that on an as-needed basis. Periodic sediment removal is required to maintain channel capacity, estuarine habitat and water quality.

Completed components of the Enhancement Plan include the construction of berms and flood walls to address flood control needs as well as Restoration Actions R1, R3, R4, R5 and R6 which focus on habitat restoration in Basin 1 and the South Marsh. Additional information regarding implementation of the Enhancement Plan is provided in Section 3 of the Subsequent EIR. In addition, routine maintenance is conducted under the Enhancement Plan, focusing on the removal of accumulated sediment from upper Franklin and Santa Monica Creeks.

The Santa Barbara County Flood Control District (District) plans to update the Enhancement Plan through the following changes to existing routine maintenance practices:

1. Surf zone disposal (beach nourishment) of sediments removed by drag-line desilting in upper Franklin and Santa Monica Creeks by trucking to the terminus of Ash Avenue.
2. Hydraulic dredging in areas where drag-line desilting has been conducted in the past with surf zone disposal.
3. Hydraulic dredging in lower Franklin Creek and the Main Channel extending to the Marsh mouth with surf zone disposal.
4. Hydraulic dredging of the entire length of major channels within the Marsh (Franklin Creek, Santa Monica Creek, Main Channel) as a single task with surf zone disposal. This is essentially a combination of components 2 and 3 above conducted in the same year.
5. Expansion of the existing Franklin Creek staging/stockpile area.
6. Maintenance and/or reestablishment of the Avenue Del Mar drainage system at the South Marsh.

2. Project Objectives

Similar to those stated in the 2003 Final EIR prepared for the existing Enhancement Plan, the current flood control objectives of the District are as follows:

- Maintain the channel capacity of Franklin Creek, Santa Monica Creek and the Main Channel in the Marsh to provide flood conveyance of 100-year event flood flows, thereby decreasing the potential for inundation of adjacent land uses.
- Provide sediment management to maintain flood conveyance through the Marsh.

- Maintain the Avenue Del Mar drainage system to avoid inundation of adjacent residences.

The restoration and enhancement objectives of the Land Trust for Santa Barbara County for Basin 1 and the South Marsh as stated in the 2003 Final EIR prepared for the existing Enhancement Plan remain unchanged. Basin 1 and South Marsh enhancement has been completed by the Land Trust as planned. The proposed project includes routine maintenance of the tidal channels in the South Marsh, which would further one of the Land Trust's project objectives to restore/enhance tidal circulation.

The flood control and restoration goals of the University of California as stated in the Management Plan for the Carpinteria Salt Marsh Reserve remain unchanged:

- Protect and maintain the estuarine ecosystem at the Reserve and its physical, biological, and cultural resources, diversity, and functions.
- To the maximum extent feasible, enhance and restore the estuary's natural diversity of resources, habitats, physical processes, and functions through the enhancement and restoration of natural self-sustaining processes.
- Provide for the protection and recovery of endangered and special interest plant and animal species at the Reserve.
- Provide for the control or eradication of invasive species, particularly those that threaten sensitive habitats and endangered and special interest native species.
- Maintain and enhance the wetland functions of Carpinteria Salt Marsh and reduce flooding potential in urban and agricultural areas adjacent to or near the marsh (includes opening the Marsh mouth as needed to address tidal circulation issues).

3. Environmental Review History of the Carpinteria Salt Marsh

The Santa Barbara County Board of Directors certified the Final EIR prepared for the Carpinteria Salt Marsh Enhancement Plan (2003 Final EIR) on July 15, 2003. Implementation of the Plan has been ongoing with many components completed. The District has proposed an update to the Enhancement Plan, including hydraulic dredging of lower Franklin Creek and the Main Channel with discharge of the sediment slurry in the surf zone (beach nourishment). The proposed update to the Enhancement Plan also includes routine maintenance within the South Marsh to reduce the potential for flooding along Avenue Del Mar, which is a new component. These proposed changes to the Enhancement Plan may result in new significant impacts or a substantial increase in the severity of previously identified significant effects. Therefore, the District has determined that a Subsequent EIR was the appropriate California Environmental Quality Act (CEQA) document to address the environmental impacts of the proposed project.

II. INTRODUCTION TO CEQA FINDINGS

The District prepared a Draft and Final Subsequent Environmental Impact Report for the Updated Carpinteria Salt Marsh Enhancement Plan (collectively, the "Subsequent EIR"). The Subsequent EIR addresses the potential environmental effects associated with the project, and the No Project Alternative. The Findings and Statement of Overriding Considerations are provided below and are recommended for adoption by this Santa Barbara County Board of Directors (Board) as the County's findings under the CEQA (Public Resources Code, Sec. 21000 et seq.) and the State CEQA Guidelines (Cal. Code Regs., Title 14, Sec. 15000 et seq.). The Findings provide a written analysis and conclusions regarding the project's environmental impacts, mitigation measures, other alternatives to the project, and overriding considerations, which justify the approval of the project despite significant unavoidable environmental impacts.

A. Procedural Background

A Notice of Preparation (NOP) was prepared according to the State CEQA Guidelines and distributed to responsible and trustee agencies and interested members of the public on January 14, 2019. As noted in Section I.B. (above) The Santa Barbara County Board of Directors certified the EIR (SCH No. 2003021016) for, and approved, the Carpinteria Salt Marsh Enhancement Plan on July 15, 2003. All applicable permits to conduct flood control activities are in place and flood control routine maintenance activities are conducted as needed in the Marsh.

The Updated Carpinteria Salt Marsh Enhancement Plan EIR was prepared as a Subsequent EIR to the 2003 Final EIR because the proposed project would substantially modify flood control routine maintenance activities at the Marsh, with resultant changes to the types and severity of impacts identified in the previously certified EIR. A Draft Subsequent EIR was prepared and distributed for review by public agencies and interested members of the public from November 25, 2019 through January 10, 2020. The Notice of Availability of the Draft Subsequent EIR was filed with the State Office of Planning and Research under the original State Clearinghouse no. (2003021016). A Notice of Availability of the Draft SEIR and Notice of Public Hearing was also published in a newspaper of general circulation (Santa Barbara News Press). The Notice was posted on-line at the District's website and at the Clerk of the Board of Supervisors. Notice was also direct mailed to properties within 1000 feet of the Marsh.

A public hearing was held at the County Planning Commission's Hearing Room on December 10, 2019 to accept oral and written testimony regarding the adequacy of the Draft Subsequent EIR. In total, five comment letters/emails were received during the public comment period and written responses have been prepared and incorporated into the Final Subsequent EIR (Section 10.0).

III. CEQA FINDINGS

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

A. Consideration of the Subsequent EIR

The Final Subsequent EIR was presented to the Board of Directors, which has reviewed and considered the information contained in the Final Subsequent EIR prior to approving the project. In addition, the Board of Directors have reviewed and considered testimony presented at the public hearing on December 10, 2019. The Final Subsequent EIR reflects the independent judgment and analysis of the Board of Directors and is adequate for this proposal.

B. Full Disclosure

The Board of Directors finds and certifies that the Final Subsequent EIR constitutes a complete, accurate, adequate and good faith effort at full disclosure under CEQA. The Board of Directors further finds and certifies that the Final Subsequent EIR has been completed in compliance with CEQA.

C. Location of Record of Proceedings

The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Project Manager: Mr. Seth Shank at 130 E. Victoria Street, Suite 200, Santa Barbara, CA 93101.

D. Findings that Certain Unavoidable Impacts are Mitigated to the Maximum Extent Feasible

The Final Subsequent EIR for the Updated Carpinteria Salt Marsh Enhancement Plan identified two environmental impacts associated with nighttime noise generated by proposed 24-hour hydraulic dredging near residences which cannot be fully mitigated and are therefore considered unavoidable (Class I). To the extent the impacts remain significant and unavoidable, such impacts are acceptable when weighed against the overriding social, economic, legal, technical, and other considerations set forth in the Statement of Overriding Considerations included herein. For each of these Class I impacts identified by the Final Subsequent EIR, feasible changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect, as discussed below:

1. Upper Franklin and Santa Monica Creeks 24-hour Hydraulic Dredging Noise (Impact UP-NOI-2)

   This impact is described in the Final Subsequent EIR (Section 5.7, page 5.7-16). Hydraulic dredging would typically be conducted about 10 hours per day (typically 7 a.m. to 5 p.m.) but could be extended to up to 24 hours per day during favorable evening/nighttime tidal conditions that allow dredging to be completed in a shorter period. The County's 65 dBA CNEL noise standard would be exceeded within approximately 1,000 feet of proposed 24-hour dredging operations, which includes residences along the eastern portion of Avenue Del Mar, residences on the eastern side of Ash Avenue, residences of Silver Sands Village, residences along the western end of Fourth Street, residences at the Chapel Court Apartments, residences along Carpinteria Avenue north of the Marsh, and the Aliso Elementary School. However, these exceedances would be short-term (a few weeks). Implementation of the following mitigation measures identified in the 2003 Final EIR (as modified by the Final Subsequent EIR) would not reduce nighttime noise levels, and no other feasible measures are available to reduce nighttime noise levels below levels of significance. Residual impacts would be significant.

   The following measures would continue to be implemented:

   - NOI-1: construction hours limitations.
   - NOI-2: community noticing of construction and routine maintenance activities.

2. Lower Franklin Creek and the Main Channel 24-hour Hydraulic Dredging Noise (Impact UP-NOI-3)

   This impact is described in the Final Subsequent EIR (Section 5.7, page 5.7-16). Hydraulic dredging would typically be conducted about 10 hours per day (typically 7 a.m. to 5 p.m.) but could be extended to up to 24 hours per day during favorable evening/nighttime tidal conditions that allow dredging to be completed in a shorter period. The County's 65 dBA CNEL noise standard would be exceeded within approximately 1,000 feet of proposed 24-hour dredging operations, which includes which includes all residences on Avenue Del Mar, residences at the southern terminus of Sand Point Road, residences along the western terminus of Sandyland Road and residences along the southern terminus of Ash Avenue. However, these exceedances would be short-term (a few weeks). Implementation of the following mitigation measures identified in the 2003 Final EIR (as modified by the Final Subsequent EIR) would not reduce nighttime noise levels, and no other feasible measures are available to reduce nighttime noise levels below levels of significance. Residual impacts would be significant.

   The following measures would continue to be implemented:

   - NOI-1: construction hours limitations.
   - NOI-2: community noticing of construction and routine maintenance activities.

E. Findings that Certain Impacts are Mitigated to Insignificance by Conditions of Approval

The Final Subsequent EIR identified several subject areas for which the project is considered to cause or contribute to significant, but mitigable environmental impacts (Class II). For each of these Class II impacts identified by the Final Subsequent EIR, feasible changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect, as discussed below:

1. Biological Resources

   The Final Subsequent EIR (Section 5.3.3) identified seven significant impacts to biological resources that would result from implementation of the project. The Board of Directors finds that the following mitigation measures would reduce such impacts to a less than significant level.

   - Impact UP-BIO-1: Surf zone disposal of sediments removed by drag-line desilting as a routine maintenance component would adversely impact marine organisms. Mitigation measure BIO-10 (marine and estuarine habitat monitoring and assessment) has been provided to detect and minimize sediment disposal impacts on marine organisms.
   - Impact UP-BIO-2: The proposed use of hydraulic dredging instead of drag-line desilting of upper Franklin and Santa Monica Creeks during routine maintenance would adversely impact marine organisms associated with turbidity and siltation of nearshore waters. Mitigation measure BIO-10 (marine and estuarine habitat monitoring and assessment) has been provided to detect and minimize sediment disposal impacts on marine organisms.
   - Impact UP-BIO-3: The addition of hydraulic dredging of lower Franklin Creek and the Main Channel as a routine maintenance component would result in adverse impacts to marine organisms associated with turbidity and siltation of nearshore waters. Mitigation measure BIO-10 (marine and estuarine habitat monitoring and assessment) has been provided to detect and minimize sediment disposal impacts on marine organisms.
   - Impact UP-BIO-4: The addition of hydraulic dredging of all major channels (Franklin Creek, Santa Monica Creek, Main Channel) in a single year as a routine maintenance component would result in adverse impacts to marine organisms associated with turbidity and siltation of nearshore waters. Mitigation measure BIO-10 (marine and estuarine habitat monitoring and assessment) has been provided to detect and minimize sediment disposal impacts on marine organisms.
   - Impact UP-BIO-6: The addition of hydraulic dredging of lower Franklin Creek and the Main Channel as a routine maintenance component may impact special-status species near the affected channels. Mitigation measures BIO-4 (avoid Belding's savannah sparrow breeding season), BIO-7 (California least tern avoidance) and BIO-9 (rare plant surveys and avoidance) have been provided to minimize impacts to these species.

- Impact UP-BIO-8: The addition of channel excavation in the South Marsh as routine maintenance of the Avenue Del Mar drainage system may result in impacts to rare, threatened and endangered species. Mitigation measures BIO-4 (avoid Belding's savannah sparrow breeding season), BIO-7 (California least tern avoidance) and BIO-9 (rare plant surveys and avoidance) have been provided to minimize impacts to these species.
- Impact UP-BIO-11: Surf zone disposal of material excavated from tidal channels in the South Marsh would result in impacts to marine organisms associated with turbidity and siltation of nearshore waters. Mitigation measure BIO-10 (marine and estuarine habitat monitoring and assessment) has been provided to detect and minimize sediment disposal impacts on marine organisms.

2. Geologic Processes

   The Final Subsequent EIR (Section 5.5.3) identified one potentially significant impact related to geologic processes that would result from implementation of the project. The Board of Directors finds that the following mitigation measures would reduce this impact to a less than significant level.

   - Impact UP-GEO-1: The addition of hydraulic dredging as a routine maintenance component may modify the grain size composition of local beaches. Mitigation measures GEO-1 (erosion minimization measures) and BIO-10 (marine and estuarine habitat monitoring and assessment) have been provided to minimize erosion and detect and address changes in beach grain size composition.

3. Water Resources

   The Final Subsequent EIR (Section 5.6.3) identified four significant impacts to water resources that would result from implementation of the project. The Board of Directors finds that the following mitigation measures would reduce such impacts to a less than significant level.

   - Impact UP-HYDRO-1: The proposed addition of surf zone disposal of sediments removed by drag-line desilting as a routine maintenance component would result in exceedances of the Ocean Plan water quality objective for turbidity-based aesthetic discoloration. Mitigation measures GEO-1 (erosion minimization measures) and BIO-10 (marine and estuarine habitat monitoring and assessment) have been provided to minimize project-related turbidity, which would avoid exceedances of the Ocean Plan water quality objective for aesthetic discoloration.
   - Impact UP-HYDRO-2: The proposed use of hydraulic dredging instead of drag-line desilting of upper Franklin and Santa Monica Creeks during routine maintenance would result in exceedances of the Ocean Plan water quality objective for turbidity-based aesthetic discoloration. Mitigation measures GEO-1 (erosion minimization measures) and BIO-10 (marine and estuarine habitat monitoring and assessment) have been provided to minimize project-related turbidity, which would avoid exceedances of the Ocean Plan water quality objective for aesthetic discoloration.

- Impact UP-HYDRO-4: The addition of hydraulic dredging of lower Franklin Creek and the Main Channel and dredging all major channels in a single year as new routine maintenance components would result in exceedances of the Ocean Plan water quality objective for turbidity-based aesthetic discoloration. Mitigation measures GEO-1 (erosion minimization measures) and BIO-10 (marine and estuarine habitat monitoring and assessment) have been provided to minimize project-related turbidity, which would avoid exceedances of the Ocean Plan water quality objective for aesthetic discoloration.
- Impact UP-HYDRO-6: Surf zone disposal of sediments generated by re-establishment of tidal channels in the South Marsh would result in exceedances of the Ocean Plan objective for turbidity-based aesthetic discoloration. Mitigation measures GEO-1 (erosion minimization measures) and BIO-10 (marine and estuarine habitat monitoring and assessment) have been provided to minimize project-related turbidity, which would avoid exceedances of the Ocean Plan water quality objective for aesthetic discoloration.

4. Noise and Vibration

   The Final Subsequent EIR (Section 5.7.3) identified two significant impacts related to noise and vibration that would result from implementation of the project. The Board of Directors finds that the following mitigation measures would reduce such impacts to a less than significant level.

   - Impact UP-NOI-4: Noise generated by proposed re-establishment of tidal channels in the South Marsh as part of the maintenance of the Avenue del Mar drainage system would exceed the 65 dBA CNEL standard at nearby residences. Mitigation measures NOI-1 (construction hours limitations) and NOI-2 (community noticing of construction and routine maintenance activities) have been provided to reduce noise levels and inform nearby residents of periods of elevated noise levels.
   - Impact UP-NOI-5: noise generated by proposed routine dredging of lower Franklin Creek and the Main Channel may exacerbate current adverse effects on the recreational and scientific use of the Marsh. Mitigation measures NOI-1 (construction hours limitations) and NOI-2 (community noticing of construction and routine maintenance activities) have been provided to reduce noise levels and inform nearby residents of periods of elevated noise levels.

5. Hazards & Hazardous Materials

   The Final Subsequent EIR (Section 5.8.3) identified two potentially significant impacts related to hazards and hazardous materials that would result from implementation of the project. The Board of Directors finds that the following mitigation measure would reduce such impacts to a less than significant level.

   - Impact UP-HAZ-2: Hydraulic dredging activities may result in accidental discharge of fuel, lubricants and coolant from the dredge, booster pump, vessels and associated equipment. Mitigation measure HAZ-1 (spill avoidance, containment and cleanup measures) has been provided to reduce potential impacts of these materials on the environment.

- Impact UP-HAZ-3: Excavation of channels in the South Marsh may result in accidental discharge of fuel, lubricants and coolant from heavy equipment (backhoe, dozer, excavators) and trucks. Mitigation measure HAZ-1 (spill avoidance, containment and cleanup measures) has been provided to reduce potential impacts of these materials on the environment.

F. Findings that Identified Project Alternatives are not Feasible

The Final Subsequent EIR prepared for the project evaluated only the No Project Alternative because no other feasible alternative was available. Potential alternatives considered included alternatives identified in the 2003 Final EIR, off-site alternatives and alternative sediment removal methods. The Board of Directors finds that these alternatives are not feasible and would not avoid or lessen the impacts of the proposed project.

Alternative A: No Project Alternative

This Alternative assumes that the existing Carpinteria Salt Marsh Enhancement Plan would not be updated and implementation of the components of the Plan would not be modified. Mitigation measures identified in the 2003 Final EIR to address significant impacts would continue to be implemented as appropriate.

The No Project Alternative does not meet the purpose of the project or any of the District's project objectives. The routine maintenance program at the Marsh as described in the existing Enhancement Plan is not adequate to maintain capacity and 100-year flood conveyance in the major channels and the South Marsh, and may result in inundation of adjacent land uses including residences along Avenue Del Mar. In addition, the existing routine maintenance program is not adequate to maintain tidal circulation which benefits estuarine habitat and water quality.

IV. STATEMENT OF OVERRIDING CONSIDERATIONS

A. Project Impacts

As summarized in Section III.D of these findings and as disclosed in the Final Subsequent EIR for the Updated Carpinteria Salt Marsh Enhancement Plan, two environmental impacts would result from implementation of the project which cannot be fully mitigated and are therefore considered significant and unavoidable. These two impacts are:

1. Upper Franklin and Santa Monica Creeks 24-hour Hydraulic Dredging Noise (Impact UP-NOI-2), and
2. Lower Franklin Creek and the Main Channel 24-hour Hydraulic Dredging Noise (Impact UP-NOI-3).

B. Overriding Considerations

The Final Subsequent EIR for the Updated Carpinteria Salt Marsh Enhancement Plan identifies two project impacts related to noise (see Section IV.A above) as significant environmental effects which are considered unavoidable. The Board of Directors therefore makes the following Statement of Overriding Considerations which warrants approval of the project notwithstanding that all identified effects on the environment are not fully mitigated.

With respect to each of the environmental effects of the project listed above, the Board of Directors finds that the stated overriding benefits of the project outweigh the significant effects on the environment and that there is no feasible way to lessen or avoid the significant effects. Pursuant to Public Resources Code Section 21081(b) and CEQA Guidelines Sections 15043, 15092 and 15093, any remaining significant effects on the environment are acceptable due to these overriding considerations (public benefits of the project):

1. Authorizes Sediment and Debris Management Activities required to Provide Flood Protection

   The proposed project would allow for removal of sediment and debris in lower Franklin Creek, the Main Channel and the South Marsh needed to meet the District's flood protection mandates.

2. Authorizes Sediment and Debris Management Activities required to Respond to Extreme Storm Events and Debris Flows

   As discussed in Section 3.4 of the Final Subsequent EIR, removal of debris and sediment following extreme storm events and debris flows has been conducted as an emergency activity. The proposed project would authorize these activities and require implementation of mitigation, which is not required in an emergency.

3. Increase Tidal Circulation which would Benefit Salt Marsh and Wetlands

   The proposed project includes tidal channel excavation in the South Marsh as routine maintenance of the Avenue Del Mar drainage system which would benefit south coastal salt marsh and coastal wetlands. In the long-term, routine maintenance of these channels would improve tidal circulation and maintain saturated soils beneficial to south coastal salt marsh and coastal wetlands.

4. Provide Beach Nourishment and Increase the Intertidal Habitat Area

   The proposed project includes surf zone disposal of sediments removed from upper Franklin and Santa Monica Creeks, Lower Franklin Creek, Main Channel, and tidal channels in the South Marsh which would contribute to a wider beach and associated intertidal habitat area. These beneficial impacts would also contribute to greater invertebrate prey availability to shorebirds, juvenile fish and other species.

5. Provide Beach Nourishment and Address Beach Erosion

   The proposed project includes surf zone disposal of sediments removed from upper Franklin and Santa Monica Creeks, Lower Franklin Creek, Main Channel, and tidal channels in the South Marsh which would contribute to beach nourishment and address local beach erosion. The proposed project would contribute to replacement of sediments lost to coastal erosion and offset seasonal shoreline retreat at City Beach.

6. Reduce Flood Risk and Improve Tidal Circulation in the South Marsh

   The addition of channel excavation in the South Marsh as routine maintenance of the Avenue Del Mar drainage system would reduce flood risk for residences on Avenue Del Mar. This activity would also improve tidal circulation which would benefit water quality in the Main Channel and possibly reduce flood water elevations in the Main Channel and lower Franklin Creek during periods of storm run-off.

7. Provide Beach Nourishment and Increase Beach Recreational Area

   Proposed surf zone disposal of sediments removed from major channels (Franklin Creek, Santa Monica Creek, Main Channel) and tidal channels in the South Marsh would contribute to beach nourishment and increase the beach width. This action would increase the beach area available for recreation.

C. Summary

In summary, the project would allow the District to provide improved flood protection for land uses near the Marsh, improve tidal circulation and contribute to beach nourishment. However, 24-hour hydraulic dredging is proposed under certain conditions to reduce the work duration and related impacts, which would result in significant and unavoidable short-term noise impacts.

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 the protection of public health and safety and the environment through the provision of cost effective and environmentally sound flood protection services. The Board therefore finds that the project-related unavoidable significant short-term noise impacts are acceptable.

V. ENVIRONMENTAL REPORTING AND MONITORING PROGRAM

Public Resources Code §21081.6 requires the County to adopt a reporting or monitoring program for measures it has adopted or made a condition of approval to mitigate or avoid significant effects on the environment. The project description and mitigation measures described in the Final SEIR, with the corresponding monitoring requirements entitled “Mitigation Monitoring and Reporting Program” (see Attachment A) is attached hereto, and by this reference, is incorporated herein.