



Tajiguas Landfill

Comprehensive Plan Amendment & Government Code Consistency

**Case Nos. 17GPA-00000-00002
17GOV-00000-00004**

Santa Barbara County Planning Commission
August 30, 2017



**County of Santa Barbara
Planning & Development
Tess Harris, Planner**

Purpose of the Hearing

1. Comprehensive Plan Amendment
2. Gov. Code §65402 Conformity Determination

Recommendations will be transmitted to the Board of Supervisors

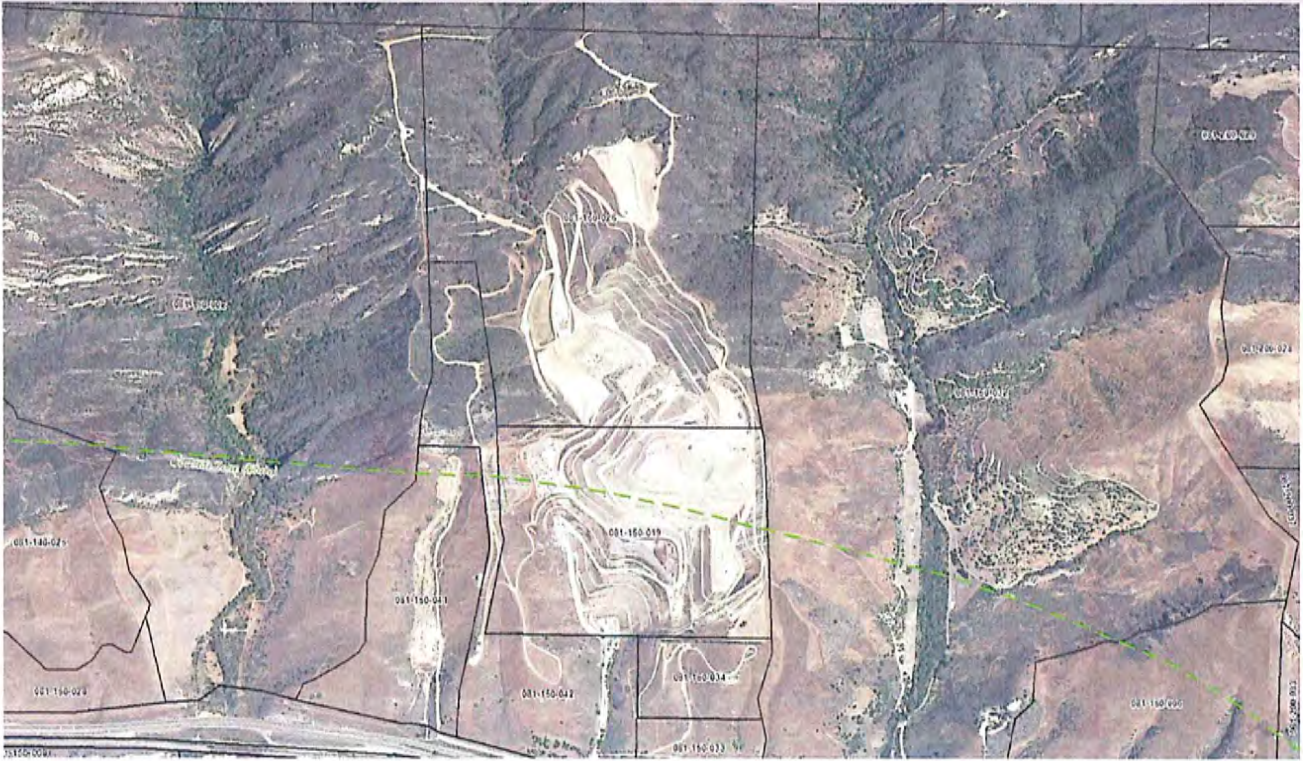


Presentation Overview

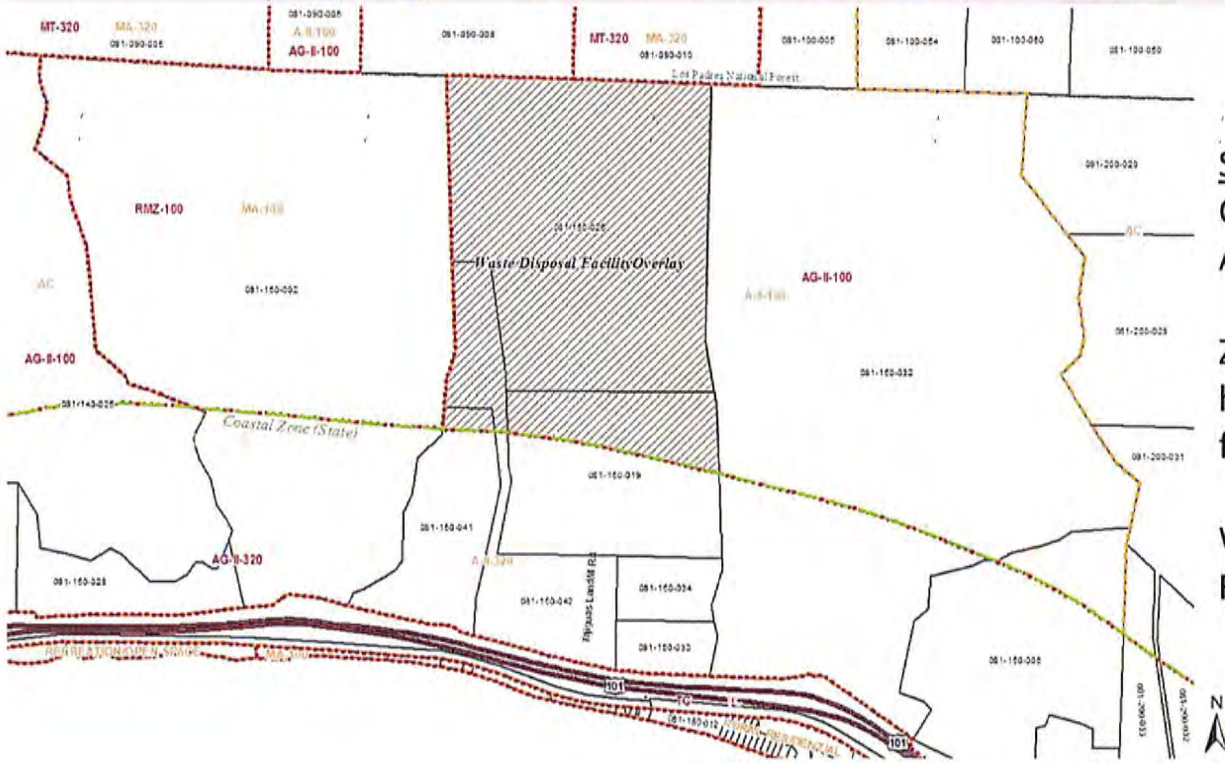
- Project Location
- Overview of the Site
- Project Description
- Environmental Review
- Comprehensive Plan Consistency
- Recommended Actions



Aerial Overview



Zoning and Land Use Designation



Site Information
 Comprehensive Plan:
 A-II-100

Zoning: AG-II-100;
 however, exempt
 from zoning

Waste Disposal
 Facility Overlay

Background

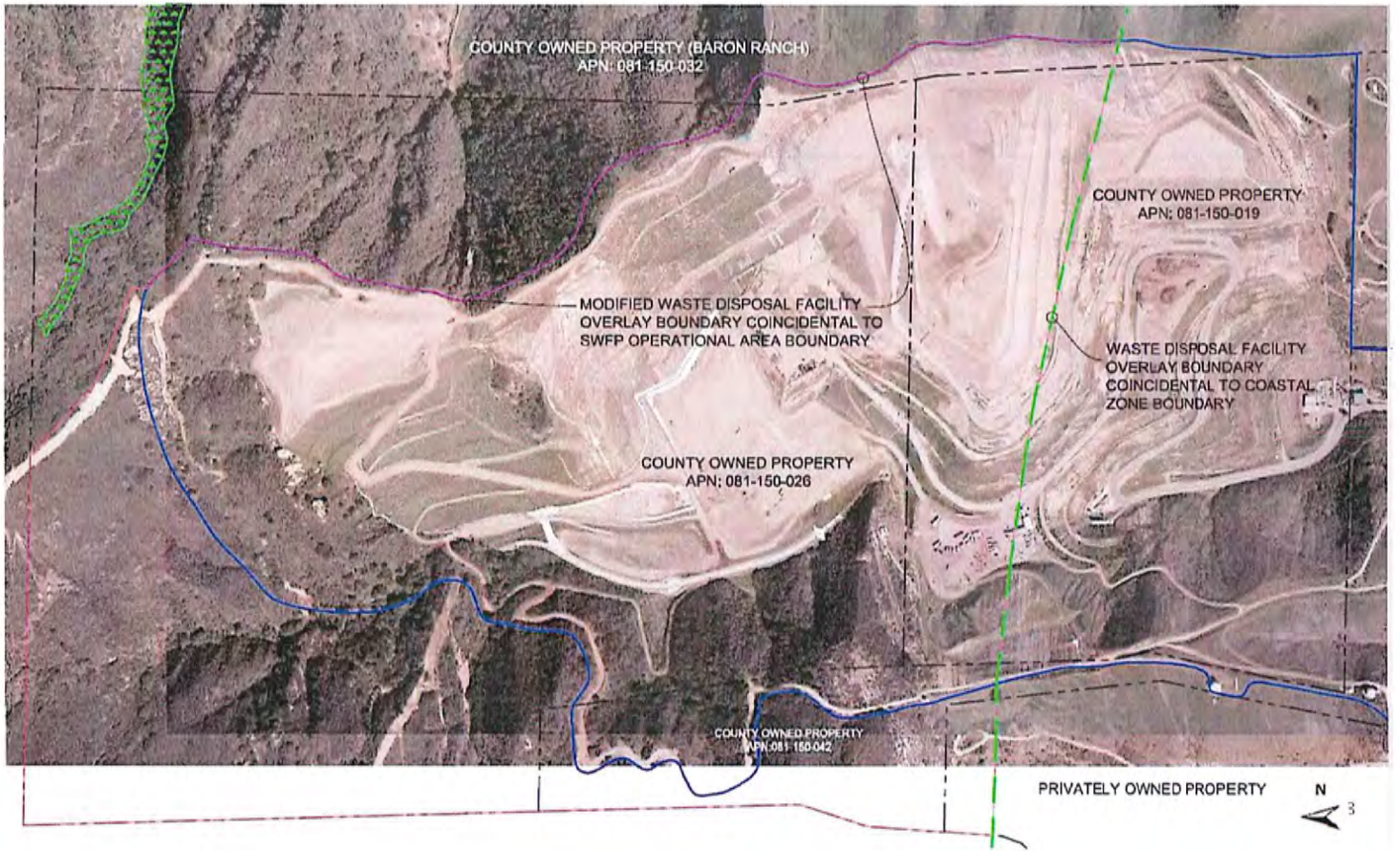
- Government Code Conformity Determination approved by PC in January 2016
- Final EIR certified and TRRP approved by BOS in July 2016

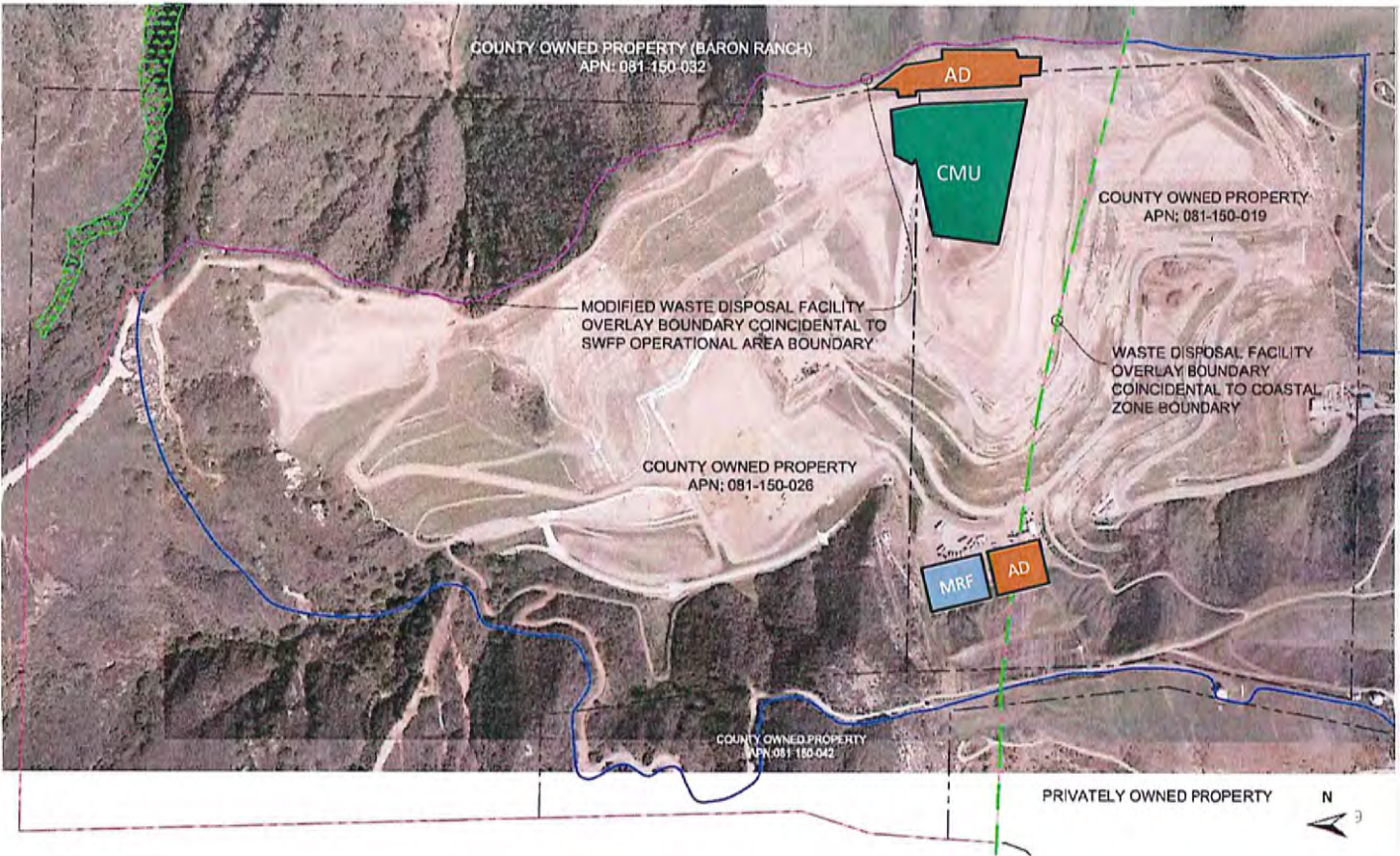


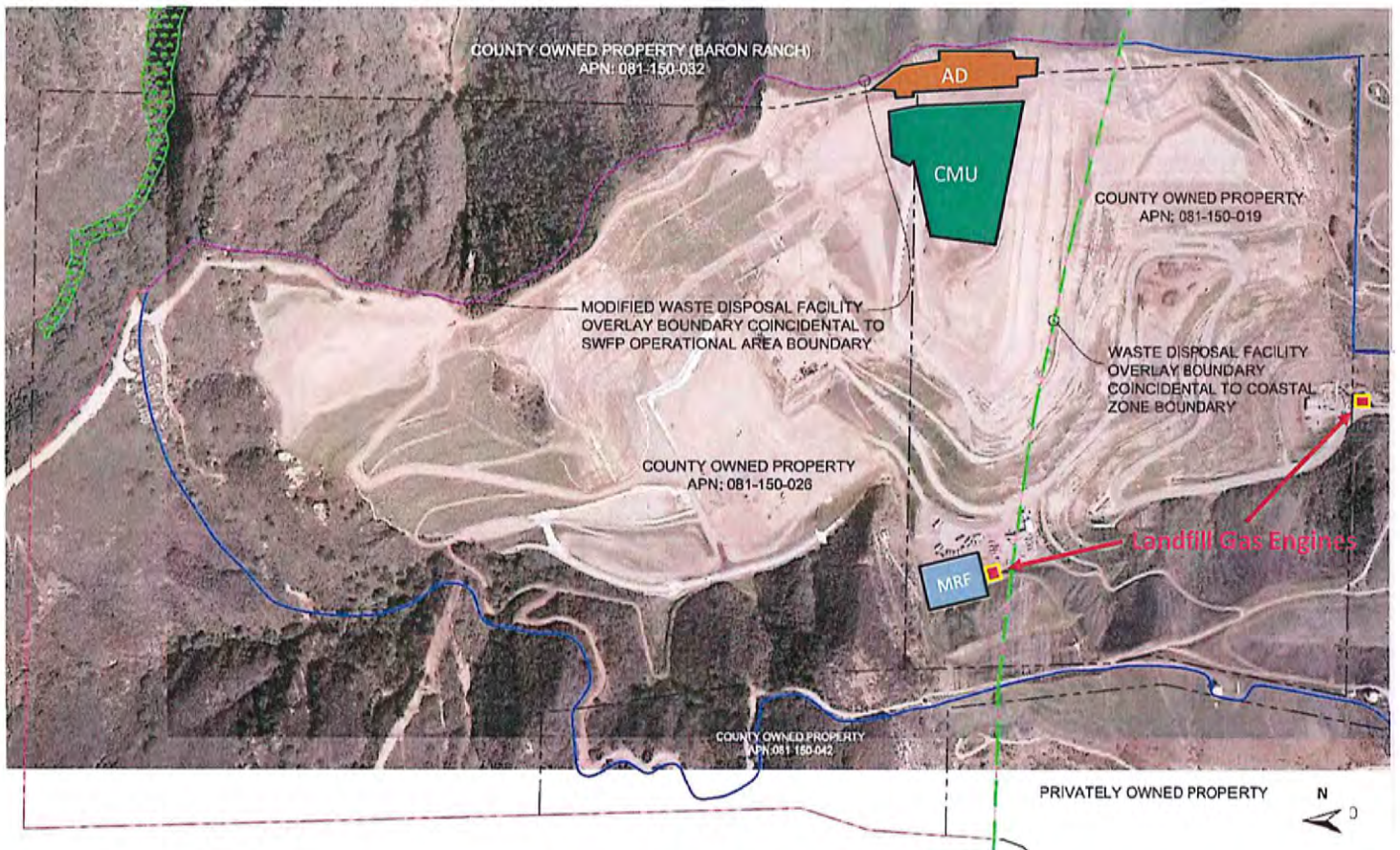
Revised TRRP

- Project revised to relocate the AD Facility outside the Coastal Zone
- Revised Waste Disposal Facility Overlay
- Replacement and relocation of LFG Control System Engine and Flare
- Associated landfill facility changes









Project Description

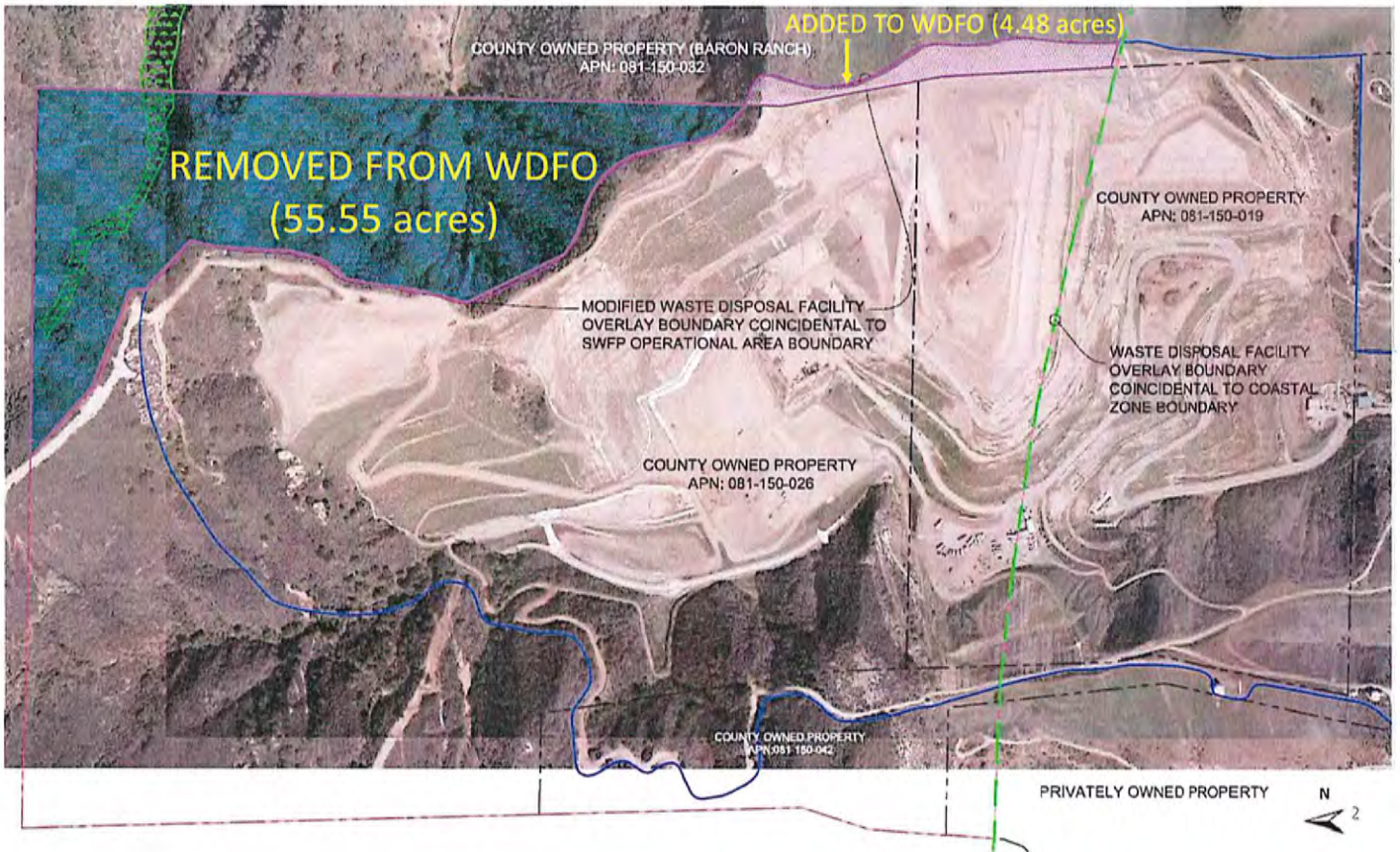
Comprehensive Plan Amendment

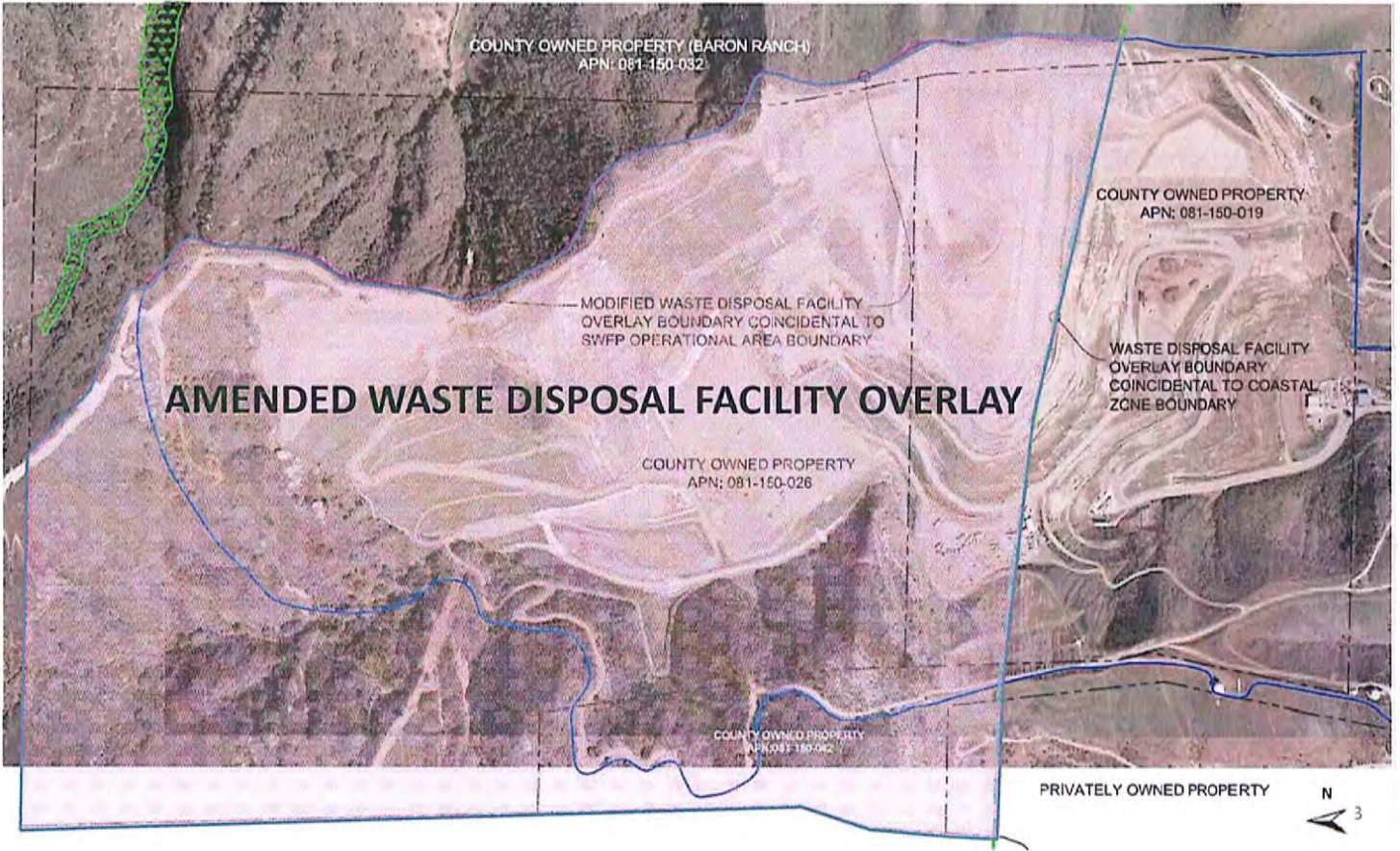
- Revise Waste Disposal Facility Overlay
 - Reduce the net area by 51.07 acres
 - Extend the Overlay to encompass the revised location of the AD Facility

Government Code Conformity Determination

- Relocating AD Facility
- Revising Waste Disposal Facility Overlay

Result: All TRRP facilities located within the Waste Disposal Facility Overlay





Comprehensive Plan Amendment

Existing Waste Disposal Facility Overlay – 352.75 acres :

- 55.55 acres removed from Waste Disposal Facility Overlay
- 4.48 acres added to the Waste Disposal Facility Overlay to accommodate the ADF

Revised Waste Disposal Facility Overlay– 301.68 acres

Addendum to I2EIR-00000-00002

1. No substantial changes that would require major revisions to EIR
2. No substantial changes have occurred with respect to circumstances under which the project is undertaken which would require major revisions to EIR
3. No new information of substantial importance which was not known at the time the previous EIR was certified has become available



Comprehensive Plan and Gaviota Coast Plan Consistency and Government Code §65402 Conformity

Visual/Aesthetic Resources:

- Revised AD Facility and associated facilities would not intrude into skyline or obstruct public views
- Development is visually subordinate

Agriculture

- Revised TRRP does not affect integrity of agricultural operations on Baron Ranch and other neighboring properties

Archaeology

- Revised TRRP avoids impacts to archaeological and cultural sites
- Phase I survey indicated negative findings
- SB 18 consultation initiated

Recreation

- Baron Ranch Trail protected

Comprehensive Plan and Gaviota Coast Plan Consistency and Government Code §65402 Conformity

Biological Resources

- Development sited to avoid ESH + protect riparian vegetation
- ESH setbacks and buffers met; Arroyo Quemado = 1,400 feet from project

Public Facilities

- Waste Disposal Facility Overlay amended to encompass area of landfill development
- No new landfill site required
- Necessary to meet State waste management legislation

Noise

- No noise sensitive uses significantly affected by project
- Same operational noise as approved TRRP



Comprehensive Plan and Gaviota Coast Plan Consistency and Government Code §65402 Conformity

Hillside and Watershed Protection

- Minimizes cut and fill for project
- Located on previously disturbed areas; natural landforms preserved
- Sedimentation basins, Erosion Control Plan, and BMPs for water quality exist

Energy and Climate Action Plan

- Encourages use of anaerobic digesters
- Promotes alternative energy
 - 100% of energy consumed by project will be provided on-site (Solar panels on AD Facility and MRF and landfill gas engines)
 - 1 megawatt of renewable energy sold to the grid
 - Increase diversion rate to over 80%
- MRF and AD Facility recover 115,000 tons/year of recyclable material
- Largest GHG reduction project proposed in SB County

The project is in conformity with the Santa Barbara County Comprehensive Plan including the Gaviota Coast Plan.

SB 18 Consultation

Consultation initiated with California Native American tribes identified by the Native American Heritage Commission (NAHC)

- Santa Ynez Band of Chumash Indians
- Barbareño/Ventureño Band of Mission Indians
- Coastal Band of the Chumash Nation



Recommended Actions

1. Recommend that the BOS make findings to approve the Comprehensive Plan Amendment
2. Consider the environmental documents and recommend to the BOS that no further EIR or ND shall be prepared for this project
3. Adopt a resolution that recommends that the BOS amend the Waste Disposal Facility Overlay boundary
4. Determine that the Revised TRRP is in conformity with the Comprehensive Plan, pursuant to Gov. Code §65402(a)
5. Direct staff to transmit the conformity report

Questions?



SANTA BARBARA COUNTY

**Resource Recovery &
Waste Management Division**

Innovative Environmental Solutions



Tajiguas Resource Recovery Project

Doing More with Our Waste



County Services to Manage Our Community's Waste

Facilities & Contracts to Manage:

- Trash
- Recyclables
- Green Waste
- Food Waste
- Hazardous & Special Waste

Programs for:

- Composting
- Community Clean Up
- Education
- Reporting
- Long Term Planning

Project Background

- County Board of Supervisors approved the Tajiguas Landfill expansion in 2002
- Directed staff to research alternatives to reduce the community's dependence on landfilling
 - FY 16/17 over 200,000 tons of community waste delivered to landfill for burial



Project Background

- Formed project team with representatives from 5 jurisdictions (current users of the Tajiguas Landfill)
- Conducted extensive community outreach
- Completed procurement process
- All jurisdictions approved selection of the Tajiguas Resource Recovery Project

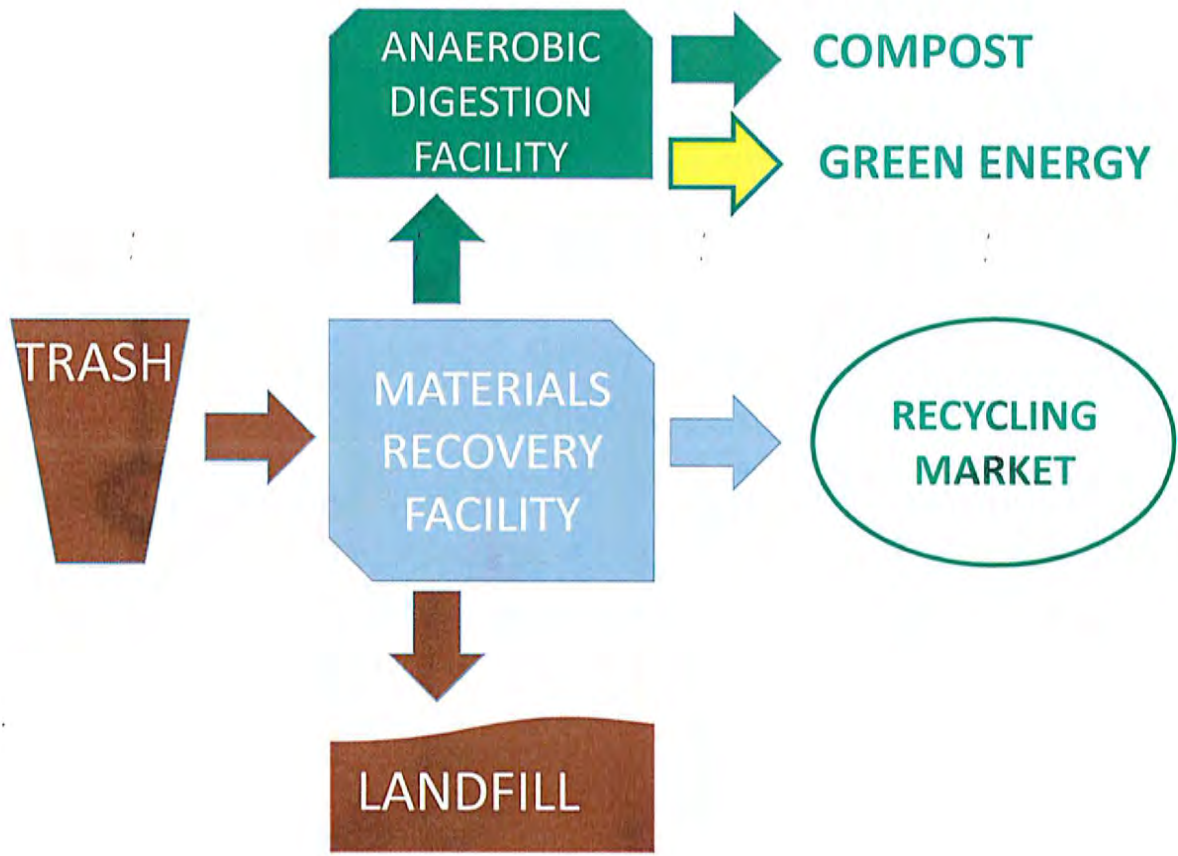


Tajiguas Resource Recovery Project

Comprised of the following at the Tajiguas Landfill:

- State of the art material recovery facility
- Anaerobic digester
- Composting area





Tajiguas Resource Recovery Project

Purpose of Project

- 20 year regional solid waste management plan
- Meet and exceed state requirements
 - Legislative requirements to reduce greenhouse gas emissions (SB 32)



Tajiguas Resource Recovery Project: Greenhouse Gas Emission Reductions

- Project included in the County's Energy and Climate Action Plan
- Projected reduction of over 110,000 Metric Tons Carbon Dioxide Equivalent a year
- Single largest reducer of GHG emissions in the County

Meet State Requirements

- AB 341: goal to divert 75% of waste from landfilling by 2020
 - TRRP projected to raise region's diversion level to 85%+
 - Mandatory commercial recycling



Meet State Requirements

- AB 1826:
 - Mandatory commercial recycling of organics
- SB 1383
 - 50% reduction in amount of organics disposed by 2020 and 75% by 2025



Meet State Requirements

Biggest challenge identified by the state is lack of infrastructure

State encourages jurisdictions to collaborate regionally to build necessary infrastructure cost effectively



Meets Community's Infrastructure Needs

Able to process & maximize reuse of:

- Mixed waste
- Source separated recyclables
- Source separated organics

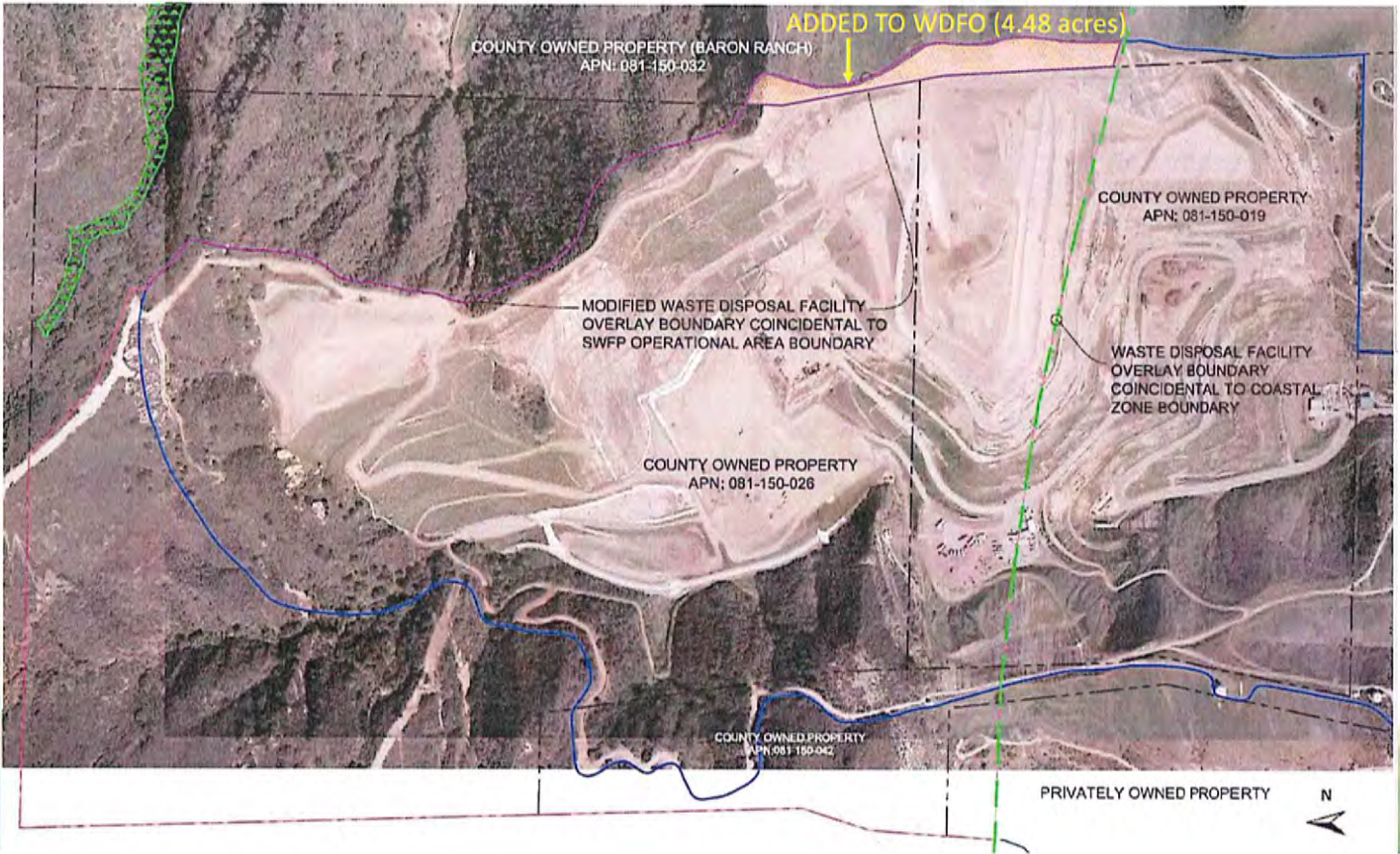
Bury residual at Tajiguas Landfill



Benefit to Baron Ranch of Waste Disposal Facility Overlay Amendment

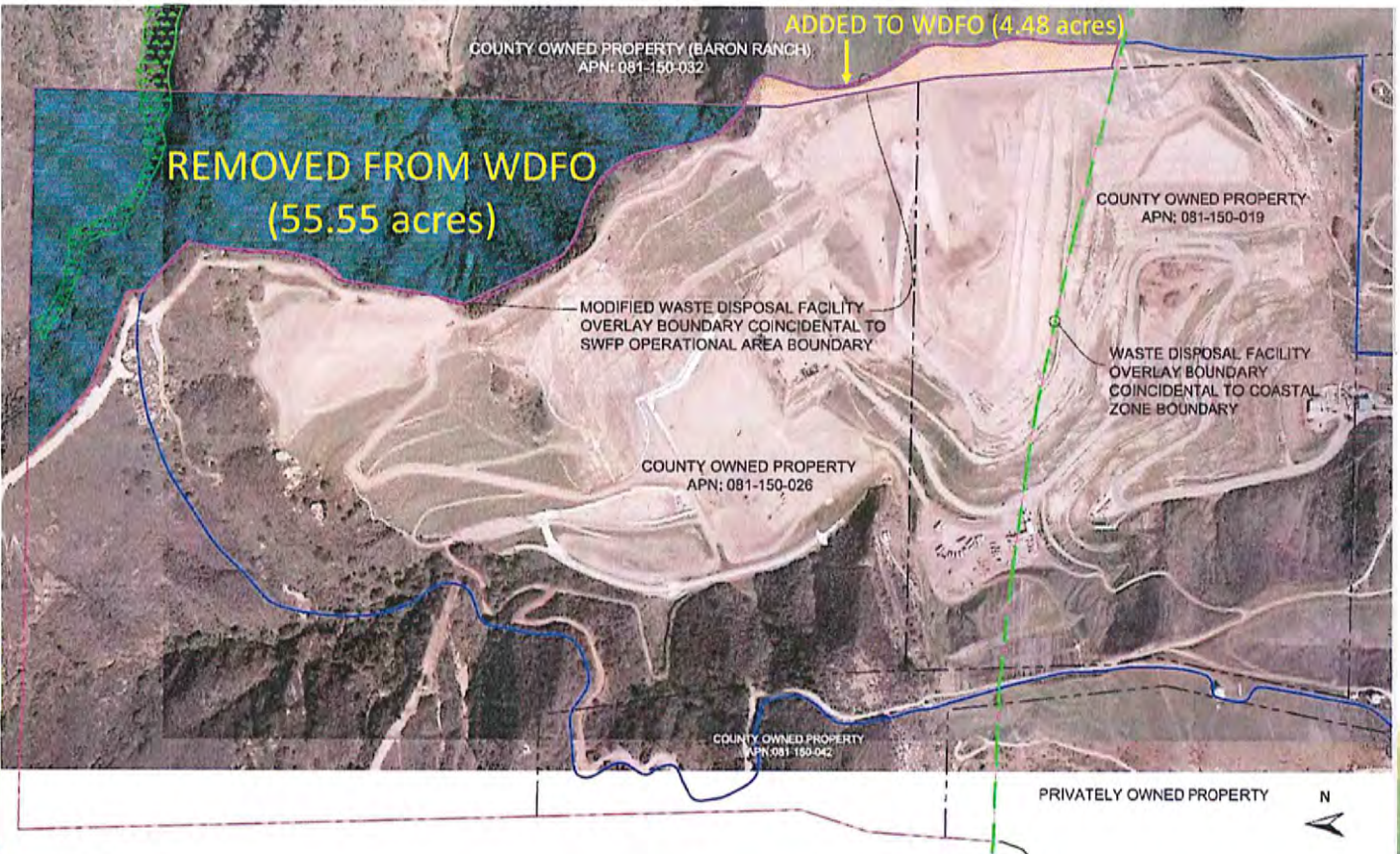
Modification to Waste Disposal Facility Overlay will reduce impact on Baron Ranch (Arroyo Quemada) watershed

- Overlay adjusted to run along ridgeline between properties
- Removing 55.55 acres of non-impacted ranch area
- Adding 4.48 acres of landfill area
- Net reduction of 51.07 acres



4.48 Acres Added
To Waste Disposal Facility
Overlay
(in Tajiguas Landfill watershed)





**55.55 Acres Removed
From Waste Disposal
Facility Overlay
(in Baron Ranch watershed)**



County Improvements to Baron Ranch

- 50 acre area restored with native vegetation
- Installation and operation of public trail
- Currently developing an extension of the trail to the Camino Cielo ridgeline



Today's Request

That your Planning Commission:

- Recommend approval of the Waste Disposal Facility Overlay changes to the Board of Supervisors
- Find the project in conformity with the Comprehensive Plan



Thank you!



SANTA BARBARA COUNTY
Innovative Environmental Solutions

www.ResourceRecoveryProject.com

LAW OFFICE OF MARC CHYTILO, APC

ENVIRONMENTAL LAW

RECEIVED

AUG 28 2017 August 28, 2017

<u>AGENDA ITEMS</u>	
ITEM #:	<u>3</u>
MEETING DATE:	<u>8.30.17</u>

Santa Barbara County Planning Commission
Santa Barbara County
123 E. Anapamu Street
Santa Barbara, CA 93101

By email to dvillalo@co.santa-barbara.ca.us

RE: Tajiguas Landfill Comprehensive Plan Amendment and Government Code Conformity Determination; August 30, 2017 Planning Commission Agenda, Item No. 3

Dear Chair Cooney and Honorable Planning Commissioners,

This office represents the Gaviota Coast Conservancy (GCC) in this matter. GCC is a California public benefit non-profit corporation dedicated to the protection of the environment and rural character of the Gaviota Coast.

Since your Commission last reviewed the Tajiguas Resource Recovery Project (TRRP) on January 6, 2016, several significant changes in circumstances occurred, including that Resource Recovery and Waste Management Division (RRWMD) staff discovered it has been using an incorrect Coastal Zone boundary across the Tajiguas Landfill for decades. The boundary error resulted in not only a portion of the approved TRRP being located within the Coastal Zone, but also a swath of the Landfill approximately 400 feet wide that the RRWMD always assumed to be inland and exempt from permitting requirements pursuant to Land Use Development Code (LUDC) § 35.10.040.G.1.b that is now subject to coastal permitting requirements. Discussed below, this boundary discrepancy has serious land use implications that have not been addressed in either the CEQA Addendum or the Staff Report.

Your Commission also lacks an adequate evidentiary basis to make the findings proposed for the Comprehensive Plan Amendment including findings that the Addendum satisfies the requirements of the California Environmental Quality Act (CEQA), and the determination required by Government Code Section 65402(a) that the revised TRRP is consistent with the Comprehensive Plan. The Addendum and Staff Report omit and mischaracterize information necessary for understanding the Project, its impacts, and its consistency with the Comprehensive Plan. Contrary to the conclusion asserted in the Addendum, the Revised Project will cause significant impacts due to changed circumstances in the visual setting and surrounding land uses, and from new elements of the Project itself that expand Tajiguas operations onto designated critical habitat for the red-legged frog on Baron Ranch, among a number of other omissions, mischaracterizations and unsupported conclusions. Accordingly we request that the Commission defer making a determination on this Project and direct Staff to provide the information necessary, including preparation of a subsequent environmental impact report, for the Commission to make an informed decision regarding this

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\$120,000,000 project funded by County ratepayers including whether it is truly in the public interest and the best alternative to meet the challenges and opportunities associated with the next generation of solid waste management in Santa Barbara County.

GCC, together with other community groups and advised by experts with considerable expertise in solid waste management including composting and carbon farming, is developing an alternative that focuses on waste reduction and enhanced source separation, includes an urban MRF, traditional aerobic composting of organics, and carbon sequestration through carbon farming to advance Santa Barbara County as a clear leader in integrating solid waste management with addressing climate change. This lower-cost alternative has the potential to advance GHG reduction goals to a much greater extent than the TRRP, and avoids expanding landfill development on the Gaviota Coast.

1. Insufficient Information to Act on RRWMD Request

The Staff Report and CEQA Addendum acknowledge that the revisions to the Project are necessitated primarily due to the discovery by RRWMD staff that part of the AD facility initially designed to be outside the Coastal Zone, was actually be partly located in the Coastal Zone (*see* Staff Report p. 4, Addendum p. 3.) However, neither document describes the boundary change or its effects on the Landfill including its operations and permitting status. This is a significant omission since the County has historically and incorrectly relied on an exemption for inland development pursuant to LUDC § 35.10.040.G.1.b, when in fact a sizeable swath of the “inland” area was actually coastal and subject to the requirements of the Local Coastal Program (LCP) and the Coastal Zoning Ordinance (CZO) which does not allow landfill development on the agriculturally zoned property (CZO §§ 35-68.3 and 35-64) nor permit the exemptions the RRWMD relies on.

There is also insufficient information about the Waste Disposal Facility Overlay itself, including whether its definition in the Land Use Element as “An area for the *disposal* of waste materials” (LUE, p. 146, emphasis added) allows for the proposed waste *processing* facilities, including the relocated Anaerobic Digester Facility (ADF). The materials also fail to describe the circumstances surrounding the area to be added to the Overlay, including the basis for RRWMD’s contention that the Landfill’s permitted operational area includes 4.48 acres in an area not authorized for solid waste uses. (*See Findings*, p. A-3; *see* LUE, pp. 137.) The failure to adequately describe and define permissible current and future uses of and activities in the Waste Disposal Facility Overlay, the scope of the proposed Overlay Amendment, and the legal status of the land proposed for inclusion in the Overlay, precludes the Commission from making required findings (discussed further below). It also leaves the public in the dark about the effect and propriety of the General Plan Amendment itself.

2. Insufficient Evidence to Support Comprehensive Plan Amendment Findings

a. The CEQA Addendum Is Legally Inadequate

“The foremost principle under CEQA is that the Legislature intended the act ‘to be interpreted in such manner as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language.’” (*Friends of Mammoth v. Board of Supervisors* (1972) 8 Cal.3d 247, 259). To recommend approval of the Comprehensive Plan Amendment the Commission must find that the Addendum is adequate for the Project and that no subsequent environmental review is required pursuant to CEQA Guidelines §§ 15162 and 15164. (*See Findings*, p. A-1.) Where substantial changes are proposed in the project, substantial changes occur with respect to the circumstances under which the project is undertaken, and/or new information of substantial importance – as defined in CEQA Guidelines § 15162 (see below) – a Subsequent EIR rather than an Addendum is the proper environmental document. The County’s reliance on an Addendum here has the effect of bypassing CEQA’s notice and public review requirements for Subsequent EIRs (Guidelines § 15162 (d)).

i. The Addendum Omits and Mischaracterizes Information Necessary for Understanding the Project and its Impacts

1. Failure to Accurately Describe the Project

The project description must describe the “whole of the action” that has the potential to impact the environment (see CEQA Guidelines § 15378 (a)). “An accurate project description is necessary for an intelligent evaluation of the potential environmental effects of a proposed activity.” (*San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal. App. 4th 713, 730). “A curtailed or distorted project description may stultify the objectives of the reporting process. Only through an accurate view of the project may affected outsiders and public decision-makers balance the proposal's benefit against its environmental cost, consider mitigation measures, assess the advantage of terminating the proposal (i.e., the “no project” alternative) and weigh other alternatives in the balance.” (*County of Inyo v. City of Los Angeles* (1977) 71 Cal. App. 3d 185, 192-193).

The Comprehensive Plan Amendment altering the Waste Disposal Facility Overlay is an entirely new project element whose purpose is to facilitate a major change to the TRRP. Unfortunately, the Addendum fails to provide details about the General Plan Amendment, limiting the information provided to a description of the acreage changes (p. 9) and maps (Figures 11 and 12). The Addendum lacks any description of what the Overlay designation would allow the RRWMD to do on the 4.48 acres proposed for inclusion and how it would impact future land uses. (*See Findings*, p. A-4 (explaining that keeping the Waste Disposal Facility Overlay and landfill operational area consistent “provides a for a better understand of where landfill activities are currently located and where landfill activities could take place in the future”; however the

Addendum does not describe what activities could take place in the future on Baron Ranch by virtue of the Amendment.) The failure to describe this important new project element precludes an analysis of its impacts including cumulative impacts associated with authorizing future waste management activities on Baron Ranch, and precludes the Commission from understanding the environmental implications of the Comprehensive Plan Amendment and from making the required finding that the CEQA Addendum is adequate.

The Addendum also includes a number of mischaracterizations that distort the project description and distort the analysis of Project impacts. These include inconsistent representations of the flare height – Figures 8 and 9 shows a flare height of 39', whereas the Project Description states that the flare will extend 54 feet above finished grade (Addendum, p. 23). If the additional 15' is added to the flare depicted on Figures 8 and 9, the flare would extend above the nearest ridgeline and be substantially more visible from public viewing locations, substantially increasing the Project's impacts to visual resources. There is no explanation of how MSW-derived organic waste from the MRF will be transported to the ADF – roadways are not identified, equipment is not listed, and air quality emissions are not quantified. New power lines connecting the MRF to ADF are not included, nor are power lines needed to connect the ADF's energy plant to the grid shown. Gov. Code § 65402 requires submission of the location, extent and purpose for all construction, thus your Commission cannot perform its duties under this authority without a complete and comprehensive Project Description. Further, your Commission must revisit any aspects of the project that were located in the newly discovered coastal zone that your Commission previously found to conform, since the wrong authority was applied. Roadways, operational facilities, transmission facilities must be clearly delineated to enable execution of this responsibility. The Addendum is silent on this topic, and thus must be rejected.

Since you are asked to make a recommendation regarding the adequacy of the Addendum for the project (Staff Report § 2.0.2, Recommendations and Procedures), your Commission should consider the potentially significant impacts of not only the General Plan Conformity Determination and Amendment, but must consider the actions and impacts that will flow from that, including approval of the revised TRRP on Baron Ranch. Since the RRWMD contends that the entirety of the revised TRRP is exempt from permit, the Planning Commission's careful analysis is a necessary step for transparency in governmental decisionmaking and fulfilling CEQA's mandates of full disclosure and public engagement. As noted, there are significant omissions and critical assumptions made in the Addendum and proposal that prevent the Commission from performing this function and have disenfranchised the public from this process.

I. Failure to Accurately Describe the Environmental Setting

To enable an assessment of whether a project's environmental effects are likely to be significant, the environmental document must describe the "baseline" for environmental analysis. (*Communities for a Better Environment v. South Coast Air Quality Management Dist.* (2010) 48 Cal.4th 310, 315.) The baseline normally consists of "the physical environmental conditions in the

vicinity of the project, as they exist at the time ... environmental analysis is commenced" (*Id.*, CEQA Guidelines § 15125 (a).) If the description of the environmental setting of the project site and surrounding area is inaccurate, incomplete or misleading, an adequate analysis of environmental impacts of a project is not possible. (*Cadiz Land Co. v. County of San Bernardino* (2000), 83 Cal. App. 4th 74, 87; *San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal. App. 4th 645, 729.)

A substantial change in the environmental setting occurred since adoption of the 2016 SEIR, namely the discovery that the Coastal Zone boundary used in the 2016 SEIR was incorrect. The Addendum does not update the environmental setting to specifically account for this change, even though this change in the environmental setting is what prompted the need for the project revision and additional CEQA review in the first place. The Addendum does identify a change in the southern boundary of the Waste Disposal Facility Overlay 300 to 400 feet northward and outside the Coastal Zone approved as part of the Gaviota Coast Plan (Addendum p. 42), however does not clarify whether the revision is complete or necessitates Coastal Commission review and approval before it is effectuated. If Coastal Commission review is required before the southern boundary of the Overlay is changed, the Addendum must disclose that fact and analyze any impacts associated with it.

At least in part because of this failure to adequately describe the Coastal Zone boundary change, the Addendum does not identify existing and proposed waste development and operations in the coastal zone or consider their impacts to the newly-identified Coastal Zone, including coastal zone resources from extending the landfill's life – including prolonged air pollution, impacts to biological resources, and the delay in closing the landfill and opening the lands to public recreational use, as originally proposed.

ii. Addendum Improper Due to Substantial Changes in the Project, Its Circumstances, and New Information of Substantial Importance

The CEQA Guidelines authorize the use of an Addendum in lieu of a Subsequent EIR for *minor changes to the project* or its circumstances. (*See* CEQA Guidelines §§ 15162, 15164, emphasis added.) Here, there is substantial evidence that the Project revisions constitute *substantial changes involving new and substantially increased significant environmental effects*. Moreover, there is substantial evidence that substantial changes occurred with respect to the circumstances under which the Project is carried out that involve new and substantially increased significant environmental effects. These substantial changes in the Project and its circumstances resulted in part from new information of substantial importance that was not known when the Project was approved, namely the discovery by RRWMD staff that they had used the wrong Coastal Zone boundary for the TRRP approvals.

1. Substantial Changes in the Project

The revised TRRP includes an entirely new location and design for the 68,550 square foot Anaerobic Digestion Facility (an approximately 5,000 square fee increase from the original proposal), excessive grading on a ridgeline, and new locations for other Landfill infrastructure including the landfill gas (LFG) control system. The new location proposed for the AD facility is on a different parcel, currently designated for agriculture (and until recently actively used for agriculture) and used for public access and recreation, and for habitat restoration required as mitigation for the Tajiguas Landfill Configuration approved by the Board in 2014 including establishing habitat for the threatened California red-legged frog (CRLF) on lands that are formally Federally designated as Critical Habitat for the survival of this state and federal listed endangered species. Using this new location on Baron Ranch necessitates a completely new component of the revised TRRP – the General Plan Amendment to modify the Waste Disposal Facility Overlay to include the 4.48 acres of Baron Ranch. Preparation of the site for installation of the ADF entails nearly 80,000 cubic yards of grading that takes lands out of the Arroyo Quemado watershed and adds new lands to the Canada de la Pina watershed. (See FSEIR p. 4.10.1.1.).

a. Loss of 2 Acres of Critical Habitat for Threatened Red-legged Frog to Accommodate Revised AD Location Causes New Significant Biological Impacts

As a result of the changes to the AD's location, 2 acres of CRLF Critical Habitat (Unit STB-6) would be destroyed. (Addendum, p. 68.) The Addendum's analysis of this impact is conclusory and legally flawed, improperly comparing the TRRP's impact on 2 acres of CRLF habitat with the 12,000 acres of land designated by the U.S. Fish and Wildlife Service within the STB-6 unit and the overall 1,636,609 acres of critical habitat included within all units for CRLF. (*Id.*) The Addendum also reasons that altering the Overlay to exclude CRLF habitat in the northern portion of Landfill offsets impacts from destruction of the 2 acres of Critical Habitat destroyed by the revised TRRP. However, the Addendum admits that the area proposed for removal from the Overlay is not used for landfill activities and is unsuited to landfill activities. (See Staff Report, p. 4, Findings p. A-4.) So its exclusion from the Overlay likely has no environmental impact. The CRLF population in Pila Creek has already been severely impacted by Landfill operations and reconfigurations, and restoration efforts on Baron Ranch were required to mitigate impacts of the Landfill. Absent a complete biological assessment of the success of the RRWMD's controversial proposal to relocate CRLF populations to Baron Ranch, it is not appropriate to propose yet more impacts to the habitat utilized by this population. Moving the AD facility to Baron Ranch, within CRLF Critical Habitat, and closer to restoration areas is a significant Project change that results in new and substantially increased impacts to biological resources.

The Environmental Thresholds identified in the CEQA Guidelines and utilized in the TRRP SEIR include whether the Project would:

Have a substantial adverse impact, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations or by the CDFW or the USFWS;

Have a substantial adverse impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the CDFW or the USFWS;

(See TRRP SEIR, p. 4.3-26.) Here, the grading and development on 2 acres of Critical Habitat designated by the CDFW for the federally threatened California red-legged frog clearly constitutes a significant impact pursuant to the above impact thresholds.

b. Ridgetop Location for AD Facility and Other Relocated Infrastructure Substantially Increases Significant Impacts

Shifting the ADF to the east side of the Tajiguas Landfill and onto Baron Ranch entails substantial physical and operational changes, and potentially significant impacts. The physical changes are not completely defined or described, and include the roadway connecting the MRF to ADF, the two sets of electrical power infrastructure, flares and other elements of the ADF, the LFG element, and the 80,000 CY of ridgetop grading into the adjoining watershed. Modifying the topography changes water drainage patterns and visual profiles.

Operational changes include the need to transport organic waste separated by the MRF to the ADF. Previously the two facilities were adjacent so transportation was not involved, but now this waste stream must be transported to the ADF. Analysis throughout the Addendum, including its air quality analysis ignores this element of the revised Project Description, and does not specify the equipment to be used. The Addendum acknowledges that this waste will be transported by truck (Table 2-2 Page 127). But there is no further description or analysis.

The Addendum's air quality analysis also discloses the extent of flare operations, which are extensive, but there is no further consideration or integration of this information into the visual impact analysis. The ADF flare will operate 278 hours/year during purging of the ADF vessels and the LFG flare 438 hours/year, for a total 716 hours per year. AECOM air quality supplement, page 3-4. Some of those emissions will occur at night, creating a substantial and highly visible flame. This impact was not discussed in the visual analysis.

The relocation of the LFG treatment system from its current site in the coastal zone to the MRF Operations deck will likely entail re-routing gas pipelines from their coastal zone origin location to the new inland destination location for the LFG. That pipeline is not shown on site plans or otherwise described. Depending on whether it is above ground, it may have visibility issues, and if below ground, impact waste cell integrity. The absence of description defeats analysis.

c. Potential Revision to Waste Disposal Facility Overlay in coastal zone

When your Commission was presented with RRWMD's request for General Plan conformity determination for the TRRP in January 2016, this office raised questions concerning the coastal zone portions of the project. One missing piece of the County's 2016 review and approval process was a delineation of the southern boundary of the Waste Disposal Facility Overlay. See, FSEIR §§ 3.0 and 4.8 (existence of Overlay disclosed but not mapped). From the prior analysis, RRWMD clearly applied the Waste Disposal Facility Overlay to what they then-believed was the coastal zone boundary. That incorrect boundary of both the coastal zone and Waste Disposal Facility Overlay was relied upon, it appears, for decades. Although the Staff Report asks your Commission to review and consider conformity determinations on other revisions to the Waste Disposal Facility Overlay, there is no explanation or analysis of how the Overlay boundary is being adjusted (or not) within the coastal zone. Previously, RRWMD relied upon and applied the Waste Disposal Facility Overlay in its planning, permitting (or exemptions), and design of the Tajiguas Landfill and TRRP. While it appears that RRWMD is proposing to adjust what had been the Waste Disposal Facility Overlay to conform to the newly-discovered coastal zone boundary (see Addendum Figure 11), thus eliminating substantial acreage from this Overlay, the Staff Report and Addendum are silent as to the process for this action and any review of the elimination of acreage and exclusion of portions of the active landfill from the Waste Disposal Facility Overlay.

Since you are requested to make determinations concerning proposed adjustments to the Waste Disposal Facility Overlay and revision to the General Plan, the *de jure* revision to the Waste Disposal Facility Overlay must at least be acknowledged. Absent specific treatment of the Waste Disposal Facility Overlay in the coastal zone, your General Plan Amendment conformity analysis is incomplete.

d. Invalidation of Prior Gov. Code § 65402 Conformity Determination and Need to Expand the Current Analysis

At present, County General Plan maps and past findings of conformity for the Tajiguas Landfill and TRRP that relied on the prior coastal zone and Waste Disposal Facility Overlay boundaries are invalid due to this error. The Planning Commission's 2016 finding of the TRRP's conformity is based on an erroneous mapping and characterization of the Waste Disposal Facility Overlay and must be fully reviewed and performed again. They were improperly evaluated before and must be revised based on correct and accurate information, including the correct coastal zone boundary and a reasoned and overt explanation of allowable uses and activities on lands within the Waste Disposal Facility Overlay boundary.

2. Substantial Changes in Circumstances

a. Coastal Zone Boundary Change

Discussed above, the Addendum does not adequately describe the Coastal Zone boundary change and its environmental and land use implications. Whether the boundary was moved approximately 300 to 400 feet northward (as implied on Addendum p. 42), or 500 feet as reported elsewhere, it includes a sizeable swath of the Landfill property (and presumably also Baron Ranch). (See Exhibit I, County Coastal Zone Boundary Adjustment Request, Attachment 3.) Discussed above, this boundary change had the immediate result of exposing a large area of landfill development that was assumed to be exempt from County permitting requirements under LUDC § 35.10.040.G.1.b that must come into compliance with LCP and Coastal Zoning Ordinance requirements including obtaining necessary coastal permitting (if available given the agricultural land use designation and prohibition on redesignating agricultural lands for non-priority coastal uses – see CZO §§ §§ 35-68.3 and 35-64.) The County’s prior approval of the TRRP is void as an action in excess of their jurisdiction. Correspondingly, the FSEIR utilized in all prior approvals of the TRRP was certified in reliance upon incorrect fundamental facts and must be revised accordingly and recirculated.

b. The Gaviota Coast Plan

Adoption of the Gaviota Coast Plan in November 2016 put into place a comprehensive new set of policies to guide land use and development on the Gaviota Coast. The TRRP SEIR did not include an analysis of project consistency with the Gaviota Coast Plan and associated land use impacts. When the Planning Commission considered the TRRP’s consistency with the Comprehensive Plan, that determination also did not consider consistency with the draft Gaviota Coast Plan (See Staff Report, Attachment G).

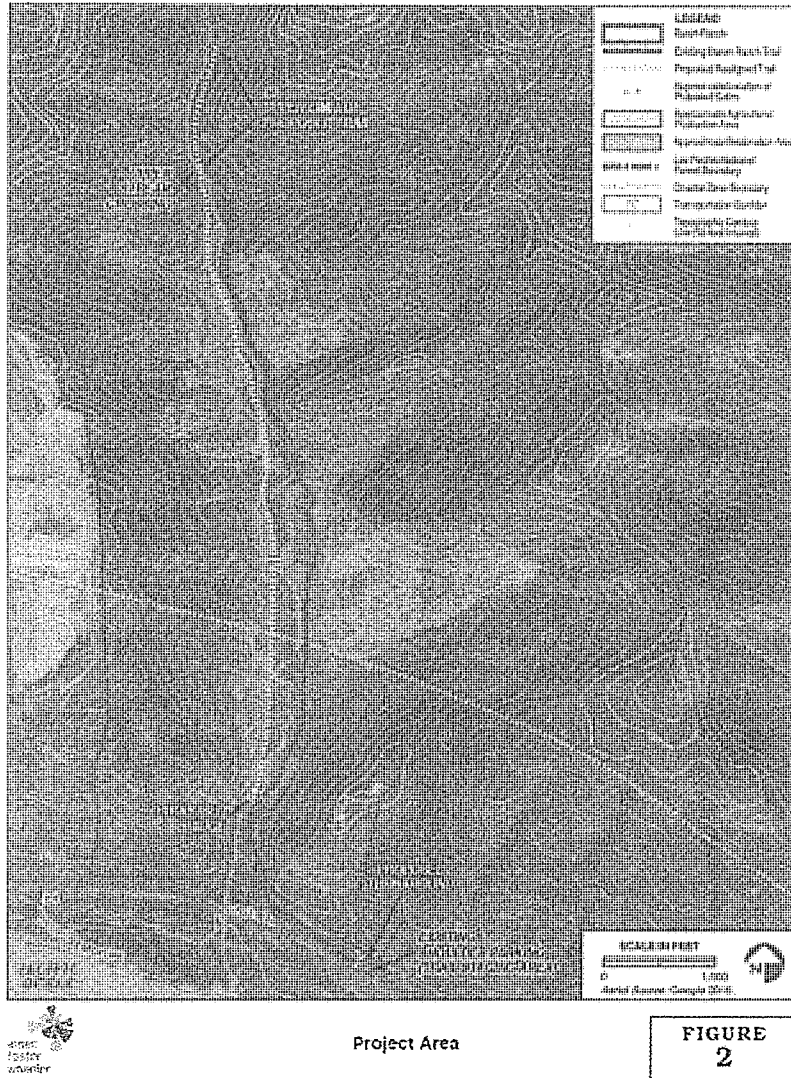
The Gaviota Coast Plan establishes a new Critical Viewshed Corridor Overlay, where near-field views from Highway 101 are identified as “visually critical and warrant additional protection from the potential for impacts of development” (GCP p. 6-9.) The Portions of the Landfill and Baron Ranch, as well as portions of Arroyo Hondo and all of the surrounding coastal areas from which the Landfill can be seen are now designated as within the Critical Viewshed (GCP, Figure 6-1.) Further, Visual Simulations in the Addendum disclose that the redesigned MRF will be visible from Highway 101 as part of a Critical Viewshed that did not exist at the time of the FSEIR and project approval. (Addendum, Figure 16). This new designation reflects the need for heightened visual analysis, and even if the MRF were not redesigned and the LFG treatment and CHP complex moved onto the MRF operations pad, this changed circumstance renders the prior General Plan conformity and environmental review process invalid.

c. Baron Ranch Trail and Gaviota Coast Plan

The Gaviota Coast Plan establishes that providing quality parks, open space, trails and recreational opportunities that “reflect this Plan Area's National, State and County significance as a recreational resource” as a key Plan element (*see* GCP p. 4-6), and identifies the 723-acre Baron Ranch as a Parks and Recreation Amenity featuring hiking (dogs, bicycles, motor vehicles and equestrians not allowed) (GCP p. 4-3). The Plan also establishes a new set of restrictions on the non-agricultural use of agricultural land. Discussed below, the revised TRRP including the Comprehensive Plan Amendment are clearly inconsistent with numerous Gaviota Coast Plan policies which results in new significant land use impacts. (*See* CEQA Guidelines, App. G, § IX (b); *The Pocket Protectors v. City of Sacramento* (2004) 124 Cal.App.4th 903, 930.) Additionally, the new policy framework and heightened protections for views, recreation, and agriculture, and increased viewer sensitivity.

1. Views from the Existing Baron Ranch Trail must be evaluated

The existing Baron Ranch Trail has direct and open views of the revised ADF. While a proposed trail may be constructed at some time, the June 2017 approval apparently suffered from the same jurisdictional defect as the TRRP in relying on the incorrect coastal zone boundary. The Planning Commission must consider the TRRP against the current physical conditions, and currently, the public trail and recreational facilities on Baron Ranch are located east and above the creek, with much more direct and clear views to the ADF than considered in the Addendum.



2. Views from off-trail locations must be considered

With the Gaviota Coast Plan's expanded recreational uses, there will be a substantial increase in the number and areas of public use. Hikers to the Gaviota Coast are generally an intrepid group, and will certainly stray far and wide from the designated trail. The abandonment of active agriculture on Baron Ranch is another changed circumstance that also acts to expand the range of hikers' and recreationalists' use and induces exploration of other areas on Baron Ranch, in addition to use of the trails .

3. Views from the length of Baron Ranch trails must be considered, not a single point

The Addendum unreasonably conducts its assessment of the Project's visual impacts to recreational users of the revised Baron Ranch from a single location, even though the trail will be walked along its length and some people will almost certainly deviate from the trail. The Project's visual assessment used a single viewpoint from the proposed trail as representing all views of the ADF from the Baron Ranch trail. (See Addendum, Figure 14). The site topography allows direct views of the ADF from the proposed Baron Ranch Trail from viewpoints to the north of Figure 14's viewpoint. This skewed assessment infects the Planning Commission's analysis of the Project's conformity with visual and recreational policies.

4. Views from Outlaw Trail are impacted

The Visual simulation (figure 16) showing views of the ADF for recreationalists from the Outlaw trail above the Tajiguas Landfill shows that the facility will be in plain view and introduce a new industrial element to the ridgeline, superimposed next to views of the Channel Islands.



5. Bio-gas explosion hazards are understated

Similarly, the Addendum understates project impacts and General Plan conformity from exposure of the public to the bio-gas explosion hazard zone. Addendum, Page 72. The Addendum concludes the zone "is limited to inaccessible areas" despite Figure 17 showing trails and roads in that general area and the absence of topographical or vegetative hindrances that would impeded overland travel to the hazard zone. The Addendum evaluates explosion hazard using a single point that does not correlate with the larger actual location of the anaerobic digester on the site plan.

3. Gaviota Coast State Scenic Highway Designation

Further heightening the visual sensitivity of the Highway 101 corridor, the recent designation of Highway 101 as the Gaviota Coast State Scenic Highway is an additional changed circumstance that increases the sensitivity of Highway 101 views and contributes a substantial increase in the Project's visual impacts from Highway 101.

a. Substantial Evidence Does Not Support the Administrative Findings

i. The Amendment Is Not in the Interests of the General Community Welfare

The Amendment is necessary to advance a costly County project that is struggling to advance beyond a very significant roadblock caused by the Coastal Zone boundary error. Committing over \$120 Million in public funds to finance a struggling and unnecessary project is not in the interest of the general community welfare. GHG reduction goals can be better met with an alternative that source-separates organic waste and converts it into high quality compost via aerobic composting methods proven to yield high quality compost that can successfully sequester carbon when applied to rangeland (“carbon farming”). Anaerobic Digestion is an exceedingly costly solution for the County’s solid waste, and one that has not been proven to yield quality compost for agricultural use and successful carbon farming. Waste diversion goals can be met and exceeded more cheaply by focusing on waste reduction, source separation, and extracting remaining recyclables from the trash can at an urban location. GCC has urged since the inception of the TRRP that the County develop a “plan B” along the lines of this alternative, but unfortunately RRWMD has stubbornly refused to engage in any meaningful analysis of this alternative. Had RRWMD identified and started implementing enhanced source separation and other measures, the circumstance the County finds itself in with the stalled TRRP would be much less dire. Furthering the general community welfare demands that the County meaningfully evaluate cheaper and easier methods to achieving GHG reduction and waste diversion goals *without* the fiscally and environmentally costly TRRP.

ii. The Amendment Is Inconsistent with the Comprehensive Plan, State planning and zoning laws, and the LUDC

Discussed throughout this letter, the revised TRRP facilitated by the Amendment, and the Amendment itself, is inconsistent with the Comprehensive Plan including the Gaviota Coast Plan. A detailed discussion of individual policy inconsistencies is in section 4, below. These significant inconsistencies with key Comprehensive Plan goals and policies precludes the Commission from finding that the Amendment is consistent with the Comprehensive Plan.

iii. The Amendment Is Inconsistent with Good Zoning and Planning Practices

The Amendment will have the effect of authorizing landfill activities on a portion of Baron Ranch, allowing RRWMD to use that area in the future for new or expanded landfill uses without any planning permits. Landfill uses that could potentially occur within the revised Overlay beyond the TRRP have not been defined, but could include highly-destructive earthwork and waste disposal activities. Given the sensitive biological resources on Baron Ranch including the CRLF Critical Habitat that is within the 4.48 acres to be added to the Overlay, the Amendment will jeopardize the

County Planning Department's ability to ensure these resources are protected by the limited uses allowed under Baron Ranch's existing land use designation.

iv. The Amendment Is Not in the Public Interest

The Amendment would modify the Waste Disposal Facility Overlay to include at least two acres of Critical Habitat for the threatened CRLF. Critical Habitat is to be preserved for the benefit of the threatened species, not elected as the location for new development.

Moreover, extending the lifetime of the Tajiguas Landfill extends numerous significant impacts associated with continued landfill operations in a coastal canyon roughly 2,000 feet from the Pacific Ocean. Groundwater contamination from contact with buried waste has been a concern for decades, and the Landfill operates an extensive leachate collection system to remove contaminated groundwater (then reapply it to the waste pile to control dust) but the Landfill continues to threaten water quality and coastal and marine ecosystems. (*See Tajiguas Waste Discharge Requirements Order No. R3-2010-0006*¹.) The Board of Supervisors clearly directed that the 2002 expansion of Tajiguas would be its last, and that the Landfill must be responsibly closed. Although leachate collection and groundwater monitoring will be necessary for the foreseeable future, it is in the public interest to initiate responsible closure of the entire Landfill as soon as possible. The new state-of-the art landfill in Santa Maria provides an alternative disposal location for residuals.

Discussed in section i, the TRRP is an extraordinarily expensive solution for our County's waste management needs, when those needs including meeting GHG and waste reduction goals could be achieving with a much less costly alternative.

For these reasons and others discussed in section 4.e, below, and throughout this letter, the Amendment is not in the public interest.

4. Government Code Section 65402(a) Conformity Determination

The Planning Commission has a unique responsibility under Cal. Government Code Section 65402(a), to ensure the TRRP conforms to the County's Comprehensive Plan including the Gaviota Coast Plan and Local Coastal Plan. Section 65402(a) provides:

If a general plan or part thereof has been adopted . . . no public building or structure shall be constructed or authorized until the location, purpose and extent of such . . . public building or

¹ Available at
http://www.waterboards.ca.gov/centralcoast/board_decisions/adopted_orders/2010/2010_0006_Final_WDR.pdf

structure have been submitted to and reported upon by the planning agency as to conformity with said adopted general plan or part thereof.

Discussed above, there is important information about the Project and its location that have not been disclosed in the materials for the Planning Commission. Furthermore, discussed in detail below, the revised TRRP is not in conformity with the County's adopted Comprehensive Plan including the recently adopted Gaviota Coast Plan.

a. The Revised Project Is Inconsistent with Gaviota Coast Plan Agriculture Policies

The Gaviota Coast Plan went into effect in the inland area of the Project site on December 9, 2016. (Addendum, p. 41.) Developed by a diverse range of stakeholders, the Gaviota Coast Plan establishes a new set of General Plan policies applicable to the Tajiguas Landfill and Baron Ranch that seek to encourage agriculture and preclude the conversion of agriculturally zoned lands to non-agricultural uses such as the proposed industrial and landfill uses.

The Project including the revised AD and Comprehensive Plan Amendment is inconsistent with Gaviota Coast Plan policies protecting agricultural land because it impermissibly expands incompatible landfill uses on lands designated for agriculture including Baron Ranch. Specifically, Gaviota Coast Plan Policy LU-5: Development of Non Agricultural Uses provides:

Development of non-agricultural uses on land designated for agriculture, including land divisions and changes to a non-agricultural land use/zoning designation, shall only be permitted subject to all of the following:

1. *Non-agricultural uses shall be compatible with continued existing agricultural use on the premises and on adjacent lands;*
2. *Non-agricultural uses shall avoid prime agricultural land or locate development contiguous with or in close proximity to existing developed areas able to accommodate the use;*
3. *Non-agricultural uses shall not have a significant adverse impact on biological resources, visual resources, and coastal resources (including public access, recreation and coastal dependent uses); and,*
4. *For properties located in the Coastal Zone, the proposed non-agricultural use and proposed land divisions shall be consistent with Coastal Land Use Plan Policies 8-2, 8-3 and 8-4 and Coastal Act Sections 30241-30242.*

(GCP p. 5-19; *see also* Land Use Element Fundamental Goal – Agriculture – “Lands with both prime and non-prime soils shall be reserved for agricultural uses.” (LUE, p. 67.) The revised TRRP is inconsistent with this Policy for various reasons including that the non-agricultural landfill use proposed – a 68,550 square foot AD facility with leachate collection related infrastructure is not compatible with the continued use of the area for agriculture. While agriculture is reportedly not

currently active on Baron Ranch, developing the AD facility and incorporating 4.48 acres of Baron Ranch into the Waste Disposal Facility Overlay is not compatible with agricultural uses. Moreover, the non-agricultural landfill use proposed would have a significant adverse on biological resources by, among other things, destroying 2 acres of designated Critical Habitat for the federally listed California red-legged frog. The revised TRRP would also have significant adverse impacts on visual resources by locating a large industrial facility atop a ridgeline where it is visible from public viewing places including established public trails. Additionally, by extending the lifetime of the Tajiguas Landfill the TRRP significantly impacts coastal resources including biological resources and air and water quality.

b. The Revised Project Is Inconsistent with Policies Protecting Environmentally Sensitive Habitat (ESH)

The Gaviota Coast Plan includes the following policies protecting ESH, including:

Policy NS-2: Natural Resources Protection. Environmentally Sensitive Habitat (ESH) areas and important or sensitive biological and natural resources shall be protected to the maximum extent feasible. Where special-status plant and animal species are found pursuant to the review of a discretionary project, the habitat in which the sensitive species is located shall be preserved to the maximum extent feasible.

GCP Policy LU-10: Development shall be sited to the maximum extent possible to . . . avoid environmentally sensitive habitat

GCP Policy Vis-13 and Site Design Hierarchy Resource Sensitivity: To the extent feasible, development should avoid environmentally sensitive habitat (ESH) areas including riparian and wildlife corridors but where unavoidable, impacts shall be minimized consistent with existing County policy.

The Revised TRRP and specifically the proposed location for the AD facility will result in the grading, earthwork and construction on 2 acres of ESH, specifically Critical Habitat for the federally listed California red-legged frog. (See Addendum pp. 68-69.) The Staff Report attempts to downplay the Project's impacts to CRLF but does not provide any substantial evidence that the revised TRRP complies with the above policies requiring that development be sited to avoid ESH.

c. The Project Is Inconsistent with View Protection Policies

Discussed above, the Gaviota Coast Plan establishes a whole new category of protection for near-field views from Highway 101, defined in the Plan as the Critical Viewshed Corridor Overlay. The Overlay policies includes the following:

Policy VIS-12: Critical Viewshed Corridor. Protection of the ocean and mountain views of the Gaviota Coast from Highway 101 is critically important. Therefore, a Critical Viewshed Corridor Overlay, providing more protective viewshed policies for development permits within the overlay, is designated for the Gaviota Coast.

Policy VIS-13: Development Visibility. Development within the Critical Viewshed Corridor shall be screened to the maximum extent feasible as seen from Highway 101. Screening shall be achieved through adherence to the Site Design Hierarchy and Design Guidelines.

(GCP p. 6-11.) The Site Design Hierarchy includes, among other things:

Visibility - Eliminate or reduce the visibility of proposed development.

Site selection is the primary tool for minimizing the visibility of development. Development shall be subordinate to the setting, visually compatible with and complementary to the environment, and an integral part of the existing landscape.

To the maximum extent feasible, eliminate or reduce the visibility of development on the skyline as well as lesser or subordinate public viewshed ridgelines, as required by Policy VIS- 2 and Policy VIS-3 and existing Santa Barbara County policies.

Resource Sensitivity.

To the extent feasible, development should avoid environmentally sensitive habitat (ESH) areas including riparian and wildlife corridors but where unavoidable, impacts shall be minimized consistent with existing County policy.

(GCP p. 6-6.)

Moreover, GCP Policy LU-10 provides “Development shall be sited to the maximum extent possible to . . . avoid visually prominent areas”.

(GCP p. 5-20.)

In addition, Comprehensive Plan Land Use Element, Visual Resource Policy 2 provides:

In areas designated as rural on the land use plan maps, the height, scale and design of structures shall be compatible with the character of the surrounding natural environment, except where technical requirements dictate otherwise. Structures shall be subordinate in appearance to natural landforms, shall be designed to follow the natural contours of the landscape, and shall be sited so as not to intrude into the skyline as seen from public viewing places.

Even though the Addendum seriously understates the visual impact associated with locating the MRF and AD Facility at Tajiguas Landfill, the document provides that the MRF and AD Facility would significantly alter the visual setting, and significantly impacts public views from Highway 101 - a well-traveled transportation corridor and recently-designated State scenic highway and from public trails including the Upper Baron Ranch Trail and the Upper Outlaw Trail on Arroyo Hondo. (See Addendum, pp. 45-47.) The visual simulations attached to the Addendum demonstrate that Project structures including the revised AD facility, tanks, and flare are not subordinate to natural landforms or designed to follow (or even mimic) the landscape's natural contours, and accordingly that the Project is inconsistent with Visual Resources Policy 2. The revised AD's proposed ridgeline location is plainly inconsistent with the Visibility provisions of the Site Design Hierarchy and by extension Policy Vis-13. The revised AD location on and adjacent to designated habitat for the federally protected California red-legged frog – recognized as Environmentally Sensitive Habitat (ESH) – is plainly inconsistent with the Resource Sensitivity provision of the Site Design Hierarchy and by extension Policy Vis-13.

1. The Project Is Inconsistent with Hillside and Watershed Protection Policies

Land Use Element, Hillside and Watershed Protection Policy 1 provides: *[p]lans for development shall minimize cut and fill operations. Plans requiring excessive cutting and filling may be denied if it is determined that the development could be carried out with less alteration of the natural terrain.* Land Use Element, Hillside and Watershed Protection Policy 2 requires that

All developments shall be designed to fit the site topography, soils, geology, hydrology, and any other existing conditions and be oriented so that grading and other site preparation is kept to an absolute minimum. Natural features, landforms, and native vegetation, such as trees shall be preserved to the maximum extent feasible. Areas of the site which are not suited to development because of known soil, geologic, flood, erosion or other hazards shall remain in open space.

The Staff Report's analysis of the revised TRRP's consistency with these policies fails to clearly identify how the new building pad location for the AD will change grading quantities and landform alteration. The Staff Report refers to an approximately 111,180 reduction in total cut volume associated with regular use of borrow materials (p. 32) but this merely obfuscates that changes required for the structural components of the Project. More information is needed regarding proposed grading for the revised AD and new and revised landfill infrastructure before the Commission can make a finding that the Project is inconsistent with Hillside and Watershed Protection Policies.

Additionally, Staff's conclusion that cut and fill has been minimized is predicated on the assumption that both the MRF and AD facility will be constructed at Tajiguas Landfill. Other alternatives however, including Alternative C – identified in the SEIR as the environmentally

superior alternative (*see* SEIR p. 5-364) – require *less* alteration of the natural terrain. Specifically Alternative C (SCRTS MRF Alternative) would require 13,300 cy of cut and 10,215 cy of fill to produce level pads for the MRF building at the SCRTS site (SEIR p. 5-143.) If Alternative C were implemented in conjunction with Alternative D, which would substitute aerobic composting at the Engel & Gray site for the AD Facility at Tajiguas Landfill (and which the DSEIR found to be technically feasible (SEIR p. 5-242)), the amount of cut and fill required for the Project could be reduced approximately eight fold. Because the Project could be carried out with less alteration of the natural terrain by utilizing alternative locations for the MRF, and could be additionally reduced by processing organics at a different site, substantial evidence does not support a conclusion that the Project as proposed is consistent with Hillside and Watershed Protection Policies 1 and 2.

d. The Project Is Inconsistent with Land Use Policy

The Gaviota Coast Plan provides:

Policy LU-10: Development Siting. Development shall be sited to the maximum extent possible to: 1) avoid environmentally sensitive habitat, 2) avoid visually prominent areas, 3) minimize infrastructure requirements and/or redundancy, and 4) minimize fragmentation of the landscape.

(GCP p. 5-20.) Discussed above in the context of environmentally sensitive habitat and view protection policies, the revised TRRP is plainly inconsistent with this Land Use policy.

e. The Project Is Inconsistent with Public Facilities Policy

Land Use Element, Public Facilities Policy 1b provides:

When a public agency proposes that a facility be located in a Rural or Inner-Rural Area, especially when it may create any parcel(s) smaller than the minimum parcel size for the Area and the applicable land use designation(s), conformity with the Comprehensive Plan shall be determined in consideration of the following factors:

- i. Whether the public interest and necessity require the project, balancing potential inconsistencies with other elements and policies of the Comprehensive Plan; and*
- ii. Whether the project is planned and located in the manner that will be most compatible with the greatest public good and the least private injury; and*
- iii. Whether the property sought to be acquired is necessary for the project.*

Expanding the Solid Waste Facility Overlay to include a portion of Baron Ranch is inconsistent with Public Facilities policy because it is not in the public interest, and is unnecessary given the availability of feasible alternatives to the TRRP.

Staff contends that the Project is necessary to meet state waste management legislation and greenhouse gas reduction legislation. However, locating the Project in a rural area *is not necessary* to meet these objectives, which could be accomplished by implementing a Project alternative or alternatives including an alternative location for the TRRP within the urban area. Locating the Project in the manner that will be most compatible with the greatest public good and the least private injury also militates in favor of an urban TRRP location in lieu of the rural Tajiguas location. Locating the TRRP in an urban area would enable MSW separation to occur closer to the source, reducing the miles traveled and associated greenhouse gas and criteria pollutant emissions from hauler trucks, would help preserve the public viewshed, and avoid additional industrialization of the Gaviota Coast.

5. Conclusion

Ascertaining whether the Project is consistent with the Comprehensive Plan is not possible absent a complete environmental document with an adequate comprehensive Project Description. The record before the Commission does not include substantial evidence supporting a finding that the Project is consistent with the Comprehensive Plan policies identified herein, or that the CEQA Addendum is adequate given the significant changes to the Project and the circumstances under which it is proposed to be undertaken. Accordingly, we respectfully request that your Commission determine that the Project is inconsistent with the Comprehensive Plan, or at the very least delay making the determination required by the Government Code Section 65402(a) until adequate information regarding the Coastal Zone discrepancy and the revised Project is made available for Commission and public review. Your Commission should also determine that a Subsequent environmental impact report is required because the revisions to the project and changed circumstances entail new and more severe environmental impacts.

Sincerely,

LAW OFFICE OF MARC CHYTILO



Marc Chytilo

Ana Citrin

For Gaviota Coast Conservancy



**Tajiguas Resource Recovery Project - Proposed Minor Boundary Adjustment:
Map Showing All Parcels Within 100 Feet of Affected Parcel**

- Existing Coastal Zone Boundary
- - - - Proposed Coastal Zone Boundary Adjustment
- Maximum Seaward Coastal Zone Boundary Adjustment Extent (200 Yards)
- Edge of Pavement / Limits of Building Pad of Proposed TRRP Project
- - - - Assessor's Parcel Boundary

EXHIBIT 1

Villalobos, David

From: Jesse Swanhuysen <jswanhuyser@gmail.com>
Sent: Monday, August 28, 2017 8:35 AM
To: Villalobos, David
Subject: Close Tajiguas: Fulfill the Promise
Categories: Purple Category

<u>AGENDA ITEMS</u>	
ITEM #:	3
MEETING DATE:	8-30-17

I write to oppose the planned expansion and extension of the Tajiguas Landfill. The Gaviota Coast is simply the wrong location for another 20 years of trash process.

The public has had inadequate time to review the 488-page CEQA Addendum and lengthy Staff Report. The project will cause new, significant impacts to the Gaviota Coast's scenic resources, prolong impacts due to the extension of the landfill, and is not consistent with the General Plan. Permits for the past and ongoing unpermitted development and activities in the coastal zone must be included as part of this project.

j.
--

Jesse Colorado Swanhuysen
508 East Haley Street
Santa Barbara, CA 93103
e-mail: jswanhuyser@gmail.com
cel fon: (805) 689-1469

This message contains information which may be confidential and privileged. Unless you are the addressee (or authorized to receive for the addressee), you may not use, copy, share or disclose i) the message or any information contained in the message; and/or ii) the attachment(s) or information contained in any attachment(s). If you have received the message in error, please inform the sender by reply e-mail to jswanhuyser@gmail.com, and then delete the message.

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AUG 28 2017

S.B. COUNTY
PLANNING & DEVELOPMENT
TECHNICAL SUPPORT

Villalobos, David

From: Graciela Cabello <graciela2277@gmail.com>
Sent: Sunday, August 27, 2017 10:54 PM
To: Villalobos, David

Categories: Purple Category

AGENDA ITEMS	
ITEM #:	3
MEETING DATE:	8-30-17

Dear Planning Commissioner,

I am writing to oppose the planned expansion and extension of the Tajiguas Landfill. The Gaviota Coast is simply the wrong location for another 20 years of trash process.

The public has had **inadequate time** to review the 488-page CEQA Addendum and lengthy Staff Report. The project will cause new, **significant impacts** to the Gaviota Coast's scenic resources, prolong impacts due to the extension of the landfill, and is **not consistent with the General Plan**. Permits for the past and ongoing unpermitted development and activities in the coastal zone must be included as part of this project.

Thank you,
Graciela

RECEIVED

AUG 28 2017

S.B. COUNTY
PLANNING & DEVELOPMENT
HEARING SUPPORT

Villalobos, David

From: Christiane Schlumberger <c.schlumberger@me.com>
Sent: Sunday, August 27, 2017 10:45 PM
To: Villalobos, David
Subject: Oppose the Tajiguas Resource Recovery Project
Categories: Purple Category

AGENDA ITEMS	
ITEM #:	3
MEETING DATE:	8-30-17

I am writing to urge the County Planning Commission to stop the Tajiguas Resource Recovery Project, which would expand the Tajiguas Landfill onto Baron Ranch and extend its life for at least another 20 years.

The County's proposal:

- will cost over \$120 million and will increase residential trash rates by 50% or more over the life of the project;
- entails shipping of all collected recyclables and trash 26 miles west, from Santa Barbara to Tajiguas, and then returning back through Santa Barbara on its way to Los Angeles;
- breaks a pledge the Board of Supervisors made in 1999 to close the Tajiguas Landfill in 2015; and
- squanders an opportunity to use local organic waste to create high-quality compost for local carbon sequestration projects to slow climate change.

Better alternatives exist and can solve our solid waste challenges at a lower cost and with superior environmental benefits.

Please reject the TRRP.

Thank you for your consideration.

Christiane Schlumberger
Santa Barbara

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AUG 28 2017
S.B. COUNTY
PLANNING & DEVELOPMENT
HEARING SUPPORT

Villalobos, David

From: Don Cork <doncork3@gmail.com>
Sent: Sunday, August 27, 2017 1:50 PM
To: Villalobos, David
Subject: Solid Waste Disposal Considerations

Categories: Purple Category

<u>AGENDA ITEMS</u>	
ITEM #:	3
MEETING DATE:	8-30-17


County of Santa Barbara Planning:

From what I understand and have read in local news sources, the county is considering options to continue to provide for effective and efficient solid waste disposal at the Tajiguas landfill. Specifically I understand a project referred to as the Tajiguas Resource Recovery Project (TRRP) is being considered and there seems to be information to indicate that this might not be the best or most cost effective solution to the current problem.

Currently it appears that Marborg is asking for a 15% rate increase for solid waste disposal in the city of Goleta to cover costs associated with this project. If what I understand is correct, there will need to be additional similar increases over the next few years to successfully implement TRRP. While I understand that solid waste disposal is a complex and costly issue, I believe that more effective less expensive alternatives might be available and need to be considered. I am certainly not an expert nor have I done the research that I am sure has been done by many on this project; I am just wanting to encourage you and the others who have responsibility for considering this issue to diligently consider all options on behalf of the residents of the county so that an equitable solution will result.

Thanks for your consideration

Don Cork
Goleta, CA

 Virus-free. www.avast.com

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AUG 28 2017
S.B. COUNTY
PLANNING & DEVELOPMENT
FOR FUND SUPPORT

Villalobos, David

AGENDA ITEMS

From: cat vallance <coastalclaygirl@yahoo.com>
Sent: Sunday, August 27, 2017 7:22 AM
To: Villalobos, David
Subject: Opposition to expanding Tahiguas landfill..
Categories: Purple Category

ITEM #: 3
MEETING
DATE: 8-30-17

Please do not break your pledge and expand the landfill up the coast. This pristine environment must be preserved for the future.

Sincerely
Catherine Vallance

Sent from Yahoo Mail on Android

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AUG 28 2017
S.B. COUNTY
PLANNING & DEVELOPMENT
LEASING SUPPORT

Villalobos, David

From: Beth Gwinn <bgwinn@ucsb.edu>
Sent: Saturday, August 26, 2017 8:55 PM
To: Villalobos, David
Subject: stop destroying the Gaviota coast: NO to the TRRP
Categories: Purple Category

<u>ACENDA ITEMS</u>	
ITEM #:	3
MEETING DATE:	8-30-17

Dear Santa Barbara County Planning Commission,

As a resident of Goleta for the past 28 years, I am writing to oppose the proposed construction of trash processing machines at the Tajiguas landfill.

Please reverse the terrible mistake the County made in approving the TRRP project last year. A trash processing facility does not belong on the rare and beautiful Gaviota Coast. Nor does the associated heavy vehicle traffic belong on this scenic stretch of the 101. I'm dismayed that the County would even consider damaging the Gaviota Coast this way.

In addition to adding to the destruction of priceless open space on the Gaviota Coast, the proposed trash processing machines don't make sense environmentally or economically. Instead of taking advantage of the carbon sequestration offered by the much superior alternative of composting organic waste, the anaerobic digesters will produce a digestate that can't be used for compost and will also generate greenhouse CO2 by burning methane, for a trivial amount of energy production. The cost to County residents will also be high: an estimated 50% increase over the next 10 years.

The TRRP is DESTRUCTIVE. The TRRP is ILL-CONCEIVED. Don't do it!

Specifically:

- DO NOT expand the Tajiguas Landfill onto Baron Ranch. This County-owned land should remain in use for agricultural and recreational purposes, such as enjoyment of the Baron Ranch Trail. DO NOT degrade Baron Ranch for landfill use.
- DO NOT build the proposed trash processing machines.
- The County should expedite closure of the Tajiguas landfill and environmental remediation to reopen the area as County parkland for the public to enjoy as natural open space.

Thank you for your consideration of these comments,

Elisabeth Gwinn
231 Fir Tree Place
Goleta CA 93117

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AUG 28 2017
S.B. COUNTY
PLANNING & DEVELOPMENT
TRAVELER SUPPORT

Villalobos, David

From: Janet <janetkoed@yahoo.com>
Sent: Friday, August 25, 2017 3:19 PM
To: Villalobos, David
Subject: Tajiguas TRRP

I urge planning commissioners to delay or deny the TRRP at the August 30 hearing. Many of us, in the county, have been working hard to protect Gaviota viewsheds and development projects. Considering the fact that Tajiguas was supposed to CLOSE in 2015 and the expensive mistake of planning the expansion in the coastal zone, this project appears to be poorly executed so far. I attended an original hearing where Mustang claimed to assume financial responsibility for the new project. This too seems to have changed.

The Gaviota Coast Conservancy claims to have a better alternative for processing our waste so let's hear them out! I vote for a more sustainable long-term solution. Thanks for listening.

Respectfully,
Janet Koed

Sent from my iPhone

<u>ACENDA ITEMS</u>	
ITEM #:	3
MEETING DATE:	8-30-17

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AUG 25 2017

SAN DIEGO COUNTY
PLANNING & DEVELOPMENT
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