CEQA FINDINGS

TAJIGUAS LANDFILL RECONFIGURATION AND BARON RANCH RESTORATION PROJECT

Findings and Statement of Overriding Considerations for Approval of the project as identified in the Final Subsequent EIR (08EIR-00000-00007) for the Tajiguas Landfill Reconfiguration and Baron Ranch Restoration Project

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I. OVERVIEW

A. Project Description

1. Overall Scope

The Santa Barbara County Public Works Department Resource Recovery and Waste Management Division (RRWMD) is proposing to reconfigure a portion of the approved waste disposal area at the Tajiguas Landfill and conduct restoration activities on Baron Ranch to compensate for biological impacts at Tajiguas. The proposed waste footprint design change (reconfiguration) would not modify any of the existing operational parameters (e.g., waste disposal capacity, hours of operation, personnel requirements, waste handling procedures, etc.) but would involve physical changes to the approved location of the waste footprint and associated disturbances for construction activities and equipment operations in the back canyon area of the site. The Tajiguas Landfill is located in a coastal canyon known as Cañada de la Pila and Baron Ranch is located in Arroyo Quemado, approximately 26 miles west of the City of Santa Barbara. The Tajiguas Landfill is partially located within the Coastal Zone and zoned for agriculture (AG-II-100, AG-II-320), with a waste disposal facility overlay. The proposed reconfiguration project area is not located within the Coastal Zone, though a portion of the restoration area on Baron Ranch is.

2. Entitlements

No new entitlements or land use permits are required as the proposed reconfiguration is within the inland area of the County and pursuant to the Santa Barbara County Land Use Development Code (Chapter 35, Article 35.1 of the Santa Barbara County Code, Section 35.10.040G.I.b.), the Land Use Development Code is not applicable to "development by the County or any district of which the Board is the governing body." However, the following permits and/or approvals would be needed from Federal, State and local agencies:

- U.S. Army Corps of Engineers (ACOE) - Clean Water Act Section 404 permit.
- U.S. Fish and Wildlife Service (USFWS) - Section 7 Consultation under the Endangered Species Act.
- California Department of Fish and Game (CDFG) - Streambed Alteration Agreement.
- Regional Water Quality Control Board (RWQCB) – Revised Landfill Waste Discharge Requirements, Industrial Stormwater Permit (including an updated stormwater pollution prevention plan), General Construction Stormwater Permit, and 401 Water Quality Certification.
- California Integrated Waste Management Board (CIWMB) – revision or modification to Solid Waste Facility Permit.
- Santa Barbara County Air Pollution Control District (APCD) – Addendum to the Landfill Gas Collection and Control System Design Plan.
- Santa Barbara County Public Health Department, Environmental Health Services as the Local Enforcement Agency (LEA) – revision or modification to Solid

Waste Facility Permit following concurrence by the California Integrated Waste Management Board.

B. Environmental Review History for the Tajiguas Landfill

The Tajiguas Landfill site has been in operation since 1967 for the disposal of municipal solid waste. The initial siting, design and operation of the landfill predates adoption of the California Environmental Quality Act (1970) and the Coastal Act, which designated Coastal Zones in California in 1976.

In 1987, an Environmental Impact Report (EIR) was prepared and certified for a proposed lateral expansion of the landfill into the northern portions of Cañada de la Pila (87-EIR-08). An addendum to 87-EIR-08 was prepared in 1988 and adopted on July 21, 1988 for a vertical expansion of the existing waste footprint to an elevation of 500 feet above mean sea level (msl). The lateral expansion reviewed under the 1987 EIR was never implemented.

On August 3, 1999, the Board of Supervisors directed the RRWMD to proceed with the Tajiguas Landfill Bench Plan. The Bench Plan increased the permitted disposal design capacity of the landfill from 12.0 million cubic yards to 15.1 million cubic yards by re-grading and filling the outside faces of the landfill. The Bench Plan project was determined to be within the scope of the analysis of 87-EIR-08 and the July 21, 1988 addendum.

On August 13, 2002, the Board of Supervisors certified an EIR (01-EIR-05) for, and approved, the Tajiguas Landfill Expansion Project (Front Canyon Expansion). This project consists of the horizontal and vertical expansion of the landfill outside of the Coastal Zone, providing 8.2 million cubic yards of additional waste disposal capacity for a total capacity of 23.3 million cubic yards.

On December 5, 2006, the Board of Supervisors approved minor changes to the approved Tajiguas Landfill Expansion Project. These changes included elimination of the Coastal Zone Southeast Corner Modification and a reconfiguration of the North Slope borrow/stockpile area. These project changes were analyzed in a November 8, 2006 Addendum to 01-EIR-05.

On April 18, 2007, Pursuant to State CEQA Guidelines Section 15162, the County Environmental Review Officer determined that 01-EIR-05 adequately addressed a proposed change in the location of the Green Waste Processing Area.

II. INTRODUCTION TO CEQA FINDINGS

RRWMD prepared a Draft and proposed Final Subsequent Environmental Impact Report for the Tajiguas Landfill Reconfiguration and Baron Ranch Restoration Project (collectively, the "SEIR"). The SEIR addresses the potential environmental effects associated with the project, and several alternatives. The Findings and Statement of Overriding Considerations are provided below and are recommended for adoption by this Santa Barbara County Board of Supervisors (Board) as the County's findings under the California Environmental Quality Act (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 and Consideration of the Subsequent EIR

A Notice of Preparation (NOP) with supporting project information was prepared according to the State California Environmental Quality Act (CEQA) Guidelines. The notice was published in the Santa Barbara News Press (a newspaper of general circulation) and distributed by direct mailing to responsible and trustee agencies and members of the public on February 7, 2008. A copy of the NOP was also posted electronically on the RRWMD website. A public scoping meeting was held on February 27, 2008 at the County Planning Commission hearing room in Santa Barbara to accept input on the scope and content of this SEIR. One member of the public attended this meeting, and expressed concern about the potential visibility of reconfigured landfill slopes from his private, ridge top property.

As noted in Section I.B. (above) The Santa Barbara County Board of Supervisors certified an EIR (01-EIR-05) for, and approved, the Tajiguas Landfill Expansion Project (Front Canyon Expansion) on August 13, 2002. All applicable permits to construct and operate the expansion were received in 2003 and waste disposal is currently occurring in the permitted area.

The current EIR (08EIR-00000-00007) was prepared as a Subsequent Environmental Impact Report (SEIR) to 01-EIR-05, due to the potential for substantial changes to the types and severity of impacts identified in the previously certified EIR. A Draft SEIR was prepared and circulated for review by public agencies and interested members of the public for a 45-day pubic comment period from December 17, 2008 to January 30, 2009. The Notice of Availability of the Draft SEIR was filed with the State Office of Planning and Research under State Clearinghouse no. 2008021052. A Notice of Availability of the Draft SEIR and Notice of Public Hearing was also published in two newspapers of general circulation (Santa Barbara News Press and Daily Sound). A public hearing was held on January 15, 2009 to accept oral and written testimony regarding the adequacy of the Draft Subsequent EIR. Two oral comments and seven comment letters were received during the public comment period and written responses have been prepared and incorporated into the proposed Final SEIR (Section 9.0). The proposed Final SEIR was made available for public review on March 26, 2009.

RRWMD recommends the Board find that the Final SEIR reflects the independent judgment of the County, analyzes a reasonable range of alternatives to the project, and is adequate to support approval of the proposed project.

B. Consideration and Recommendations of Certification of the Subsequent EIR

The Board certifies that the Final SEIR has been prepared in compliance with CEQA. The Final SEIR was presented to the Board, and they have reviewed and considered the information contained in the Final SEIR prior to approving the project. The SEIR and these findings reflect the independent judgment and analysis of the Board. The Board considered the information contained in the Final SEIR and bases its determination on the substance of the information it contains in addition to other evidence in the record. The

Board certifies that the Final SEIR is adequate to support approval of the action that is the subject of the staff report to which these CEQA findings are attached.

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: Ms. Joddi Leipner at 130 E. Victoria Street, Suite 100, Santa Barbara, CA 93101.

III. CEQA FINDINGS

A. Findings Related to Significant and Unavoidable (Class I) Impacts

The Final SEIR for the Tajiguas Landfill Reconfiguration and Baron Ranch Restoration project identifies eight (8) environmental impacts which cannot be fully mitigated and are therefore considered significant and unavoidable. Impacts have been avoided to the maximum extent feasible through preliminary design changes which reduced the disturbance footprint in Pila Creek by 350 linear feet (~7 acres) (Final SEIR Section 5.2.2, page 5-8). 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. Each of these "Class I" impacts identified by the Final SEIR are discussed below, along with the appropriate findings as per CEQA Section 15091:

1. Cumulative Waste Disposal Emissions (Impact AQ-CUM-1)

   This cumulative impact is described in the Final SEIR Volume 1 (Section 4.3, page 4.3-9). Air emissions associated with the approved landfill expansion would result a significant cumulative air quality impact (Class I) and continued operation of the landfill under the proposed reconfiguration project would continue those emissions. Implementation of mitigation measures identified in the 01-EIR-05 prepared for the Tajiguas Landfill Expansion Project would continue to reduce emissions, but no other feasible measures are available to reduce emissions below levels of significance. Residual impacts would be significant.

2. Loss of Sensitive and Native Vegetation Communities (Impact BIO-1)

   This impact is described in the Final SEIR Volume 1 (Section 4.4.2.3, page 4.4-37). Loss of sensitive vegetation communities associated with landfill expansion would result in a significant impact to biological resources (Class I). Implementation of the Baron Ranch Restoration Plan (Final SEIR Appendix C), which is included in the project description and required pursuant to Final SEIR mitigation measure BIO-1(a), provides for replacement of sensitive and native habitats at ratios ranging from 3:1 to 5:1. In addition, Final SEIR mitigation measure BIO-1(b) (minimizing impacts to habitat areas outside of the project footprint) and measure BIO-1(c) (control of highly invasive plants) and continued implementation of applicable mitigation measures identified in 01-EIR-05 prepared for the Tajiguas Landfill Expansion Project would reduce impacts, but temporal loss of these mature vegetation communities would occur until re-established at Baron Ranch. Residual impacts would therefore remain significant.

Comments received on the Draft SEIR (Final SEIR Section 9.0 letters from the Law Office of Marc Chytilo, Santa Barbara Audubon Society) suggest that completion of restoration activities prior to disturbance occurring at the Tajiguas Landfill could further reduce significant biological impacts associated with the temporal loss of sensitive and native vegetation communities. The Board of Supervisors finds that completion of restoration activities at Baron Ranch prior to disturbance of sensitive and native plant communities at the Tajiguas Landfill is not logistically and fiscally feasible as discussed in the response to comments (Final SEIR Section 9.0).

3. Loss of Sensitive Plant Species (Impact BIO-2)

   This impact is described in the Final SEIR Volume 1 (Section 4.4.2.3, page 4.4-40). Loss of three locally sensitive plant species within the landfill reconfiguration area would result in a significant impact to biological resources (Class I). Implementation of the Baron Ranch Restoration Plan (Final SEIR Appendix C), which is included in the project description and required pursuant to Final SEIR mitigation measure BIO-1(a), provides for replacement of individual sensitive plants. In addition, Final SEIR mitigation measure BIO-1(b) (minimizing impacts to habitat areas outside of the project footprint) and measure BIO-1(c) (control of highly invasive plants) and continued implementation of applicable mitigation measures identified in 01-EIR-05 prepared for the Tajiguas Landfill Expansion Project would reduce impacts by replanting these species at Baron Ranch, but temporal loss of these plants would occur until re-established at Baron Ranch. Residual impacts would remain significant.

   Comments received on the Draft SEIR (Final SEIR Section 9.0 letters from the Law Office of Marc Chytilo, Santa Barbara Audubon Society) suggest that completion of restoration activities prior to disturbance occurring at the Tajiguas Landfill could further reduce significant biological impacts associated with the temporal loss of sensitive plant species. The Board of Supervisors finds that completion of restoration activities at Baron Ranch prior to disturbance of sensitive plants at the Tajiguas Landfill is not logistically or fiscally feasible as discussed in the response to comments (Final SEIR Section 9.0).

4. Loss of Specimen Native Trees (Impact BIO-3)

   This impact is described in the Final SEIR Volume 1 (Section 4.4.2.3, page 4.4-41). Loss of specimen native trees and shrubs (oaks, elderberry, willows) within the landfill reconfiguration area would result in a significant impact to biological resources (Class I). Implementation of the Baron Ranch Restoration Plan (Final SEIR Appendix C), which is included in the project description and required pursuant to Final SEIR mitigation measure BIO-1(a), provides for replacement of individual sensitive plants. In addition, Final SEIR mitigation measure BIO-1(b) (minimizing impacts to habitat areas outside of the project footprint) and measure BIO-1(c) (control of highly invasive plants) and continued implementation of applicable mitigation measures identified in 01-EIR-05 prepared for the Tajiguas Landfill Expansion Project would reduce impacts by planting oak and elderberry trees at Baron Ranch at a 10:1 ratio, and willows at a 5:1 ratio. However, temporal loss of

these trees would occur until re-established at Baron Ranch. Residual impacts would remain significant.

Comments received on the Draft SEIR (Final SEIR Section 9.0 letters from the Law Office of Marc Chytilo, Santa Barbara Audubon Society) suggest that completion of restoration activities prior to disturbance occurring at the Tajiguas Landfill could further reduce significant biological impacts associated with loss of native trees. The Board of Supervisors finds that completion of restoration activities at Baron Ranch prior to disturbance of native trees at the Tajiguas Landfill is not logistically or fiscally feasible as discussed in the response to comments (Final SEIR Section 9.0).

5. Loss of Habitat for the Threatened California Red-legged Frog (Impact BIO-6)

   This impact is described in the Final SEIR Volume 1 (Section 4.4.2.3, page 4.4-44). Removal of the in-channel basins associated with landfill reconfiguration would result in a significant loss of breeding and foraging habitat for California red-legged frog and may impact individual frogs which are listed as "threatened" species under the Federal Endangered Species Act (Class I). Implementation of the Baron Ranch Restoration Plan (Final SEIR Volume 1, Appendix C), which is included in the project description and required pursuant to Final SEIR mitigation measure BIO-1(a), provides for enhancing and expanding breeding habitat and expansion of foraging habitat adjacent to the Arroyo Quemado riparian corridor.

   In addition, implementation of the California Red-legged Frog Management Plan (Final SEIR Volume 1, Appendix D), which is included in the project description and required pursuant to Mitigation measure BIO-6) would offset impacts to individual frogs by: capturing and relocating individual frogs to Arroyo Quemado on the Baron Ranch, monitoring for frog prior to construction, protecting frogs during restoration activities, and by placing areas of occupied habitat on Baron Ranch into a Conservation Easement. However, some reduction in population levels may occur, therefore residual impacts would remain significant.

   Comments received on the Draft SEIR (Final SEIR Section 9.0 letters from the Law Office of Marc Chytilo, Santa Barbara Audubon Society) suggest that completion of restoration activities on Baron Ranch prior to relocation of frogs from the Tajiguas Landfill and/or implementation of a pilot relocation program could further reduce potentially significant impacts to individual frogs. The Board of Supervisors finds that completion of restoration activities or implementation of a pilot relocation program at Baron Ranch prior to relocation of California red-legged frogs to Arroyo Quemado is not logistically or fiscally feasible as discussed in the response to comments (Final SEIR Section 9.0).

6. Cumulative Loss of Habitat for the Threatened California Red-legged Frog (Impact BIO-CUM-1)

   This impact is described in the Final SEIR Volume 1 (Section 4.4.2.5, pages 4.4-59 to 4.4-60). Loss of breeding and foraging habitat associated with landfill reconfiguration in combination with loss of foraging and breeding habitat from other

developments projects along the Gaviota coast would result in a significant cumulative impact to California red-legged frog (Class I).

Implementation of the Baron Ranch Restoration Plan (Final SEIR Volume 1, Appendix C) and the California Red-legged Frog Management Plan (Final SEIR Volume 1, Appendix D), which are included in the project description and required pursuant to Final SEIR mitigation measures BIO-1(a) and BIO-6), would offset impacts by capturing and relocating individual frogs to Arroyo Quemado on the Baron Ranch, protecting frogs during restoration activities, enhancing and expanding breeding and foraging habitat along and adjacent to Arroyo Quemado, and by placing areas of occupied habitat in a Conservation Easement. However, some reduction in population levels may occur; therefore, residual impacts would remain significant.

Comments received on the Draft SEIR (Final SEIR Section 9.0 letters from the Law Office of Marc Chytilo, Santa Barbara Audubon Society) suggest that completion of restoration activities on Baron Ranch prior to relocation of frogs from the Tajiguas Landfill could further reduce potentially significant impacts to individual frogs. The Board of Supervisors finds that completion of restoration activities or implementation of a pilot relocation program at Baron Ranch prior to relocation of California red-legged frogs to Arroyo Quemado is not logistically or fiscally feasible as discussed in the response to comments (Final SEIR Section 9.0).

7. Cumulative Loss of Sensitive Vegetation Communities, Sensitive Habitats and Sensitive Plants (Impact BIO-CUM-2)

   This impact is described in the Final SEIR Volume 1 (Section 4.4.2.5, pages 4.4-60 to 4.4-61). Loss of sensitive vegetation communities, sensitive habitats and sensitive plants associated with landfill reconfiguration, the approved landfill expansion and with other development projects along the Gaviota coast would result in a significant cumulative impact to these biological resources (Class I). Implementation of the Baron Ranch Restoration Plan (Final SEIR Appendix C), which is included in the project description and required pursuant to Mitigation Measure BIO-1(a), and existing measures from 01-EIR-05 would offset impacts, but temporal loss of these resources would occur until re-established at Baron Ranch. Residual impacts would be significant and unavoidable.

   Comments received on the Draft SEIR (Final SEIR Section 9.0 letters from the Law Office of Marc Chytilo, Santa Barbara Audubon Society) suggest that completion of restoration activities prior to disturbance occurring at the Tajiguas Landfill could further reduce significant biological impacts associated with loss of sensitive and native vegetation communities. The Board of Supervisors finds that completion of restoration activities at Baron Ranch prior to relocation of California red-legged frogs to Arroyo Quemado is not logistically or fiscally feasible as discussed in the response to comments (Final SEIR Section 9.0).

8. Cumulative Loss of Habitat for San Diego Desert Woodrat (Impact BIO-CUM-4)

   This impact is described in the Final SEIR Volume 1 (Section 4.4.2.5, pages 4.4-61 to 4.4-62). Loss of habitat for San Diego desert woodrat associated with landfill reconfiguration, the approved landfill expansion and with other development projects

along the Gaviota coast would result in a significant cumulative impact to this species (Class I).

Implementation of the Baron Ranch Restoration Plan (Final SEIR Volume 1, Appendix C), which is included in the project description and required pursuant to Mitigation Measure BIO-1(a) and existing measures from 01-EIR-05, would provide replacement habitat and partially offset impacts, but reductions in population levels would occur. Residual impacts would remain significant.

B. Findings Related to Potentially Significant but Mitigable (Class II) Impacts

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

1. Biological Resources

   The Final SEIR Volume 1, identified 10 potentially significant impacts to biological resources that would result from implementation of the project: Impact BIO-4, loss of wetlands; Impact BIO-7, loss of desert woodrat habitat; Impact BIO-8, loss of badger and ringtail habitat; Impact BIO-9, loss of two-striped garter snake habitat; Impact BIO-11, loss of white-tailed kite, Cooper's hawk, red-tailed hawk, and great horned owl habitat; Impact BIO-13, loss of habitat for other sensitive and migratory birds; Impact BIO-14, loss of habitat for sensitive bat species; Impact BIO-18, adverse impacts to California red-legged frog at Baron Ranch; Impact BIO-CUM-3, cumulative loss of habitat for sensitive birds; and impact BIO-CUM-5, cumulative loss of wetlands. These impacts are discussed in the Final SEIR (Section 4.4.2.3 – 4.4.2.5, pages 4.4-42 to 4.4-61). The Board of Supervisors finds that the following mitigation measures would reduce such impacts to a less than significant level.

   - Impact BIO-4: Compensatory mitigation for the loss of wetlands has been included in the Baron Ranch Restoration Plan, which is included as an element of the proposed project description and required pursuant to Mitigation Measure BIO-1(a). In compliance with anticipated CDFG permit requirements, the Baron Ranch Restoration Plan provides replacement of permanently impacted wetlands at a minimum 5:1 ratio through the enhancement, restoration, and creation of freshwater marsh, southern coast live oak riparian forest, and southern willow scrub. In addition, pursuant to Mitigation Measure BIO-1(b), the limits of construction will be delineated in the field to prevent disturbance to additional wetland areas.
   - Impact BIO-7: Pursuant to Final SEIR Mitigation Measure BIO-7 a survey for San Diego desert woodrats shall be conducted in mature chaparral prior to vegetation removal. In the event desert woodrats or desert woodrat nests are found within the Reconfiguration Impact Area, a relocation effort shall be conducted to allow the woodrats to move to suitable adjacent habitat. Implementation of the Baron Ranch Restoration Plan would also include replacement of San Diego desert woodrat habitat at Baron Ranch.

- Impact BIO-8: Pursuant to Final SEIR Mitigation Measure BIO-8, prior to any ground disturbing construction activities within the badger or ringtail natal denning period (March to August), the area scheduled for clearing and grubbing shall be surveyed for American badger and ringtail. If a badger or ringtail den is observed a qualified biologist shall monitor the den to determine if it is an active or an abandoned den. If the biologist determines that the den is not active, the biologist shall dismantle the den immediately and the construction activity can be initiated. If the biologist determines that the den is an active natal den, the biologist shall mark the den and establish a buffer (300 feet or as determined appropriate by the biologist based on field conditions) surrounding the active den. No ground disturbing work shall take place within this buffer. The biologist shall monitor the active den until the den is abandoned. Once abandoned, the den shall be filled/dismantled and construction activities can commence. Implementation of the Baron Ranch Restoration Plan would also include replacement of scrub, riparian and woodland communities used by the America badger and the ringtail at Baron Ranch.
- Impact BIO-9: Pursuant to Final SEIR Mitigation Measure BIO-9, surveys for two-striped garter snakes shall be conducted concurrent with California red-legged frog surveys and relocation activities. A qualified biologist shall relocate any two-striped garter snakes encountered to Arroyo Quemado. Implementation of the Baron Ranch Restoration Plan would also include restoration of aquatic habitat and expansion of foraging habitat for the two-striped garter snake.
- Impact BIO-11: Pursuant to Final SEIR Mitigation Measure BIO-11, clearing and grubbing of trees shall avoid the raptor breeding season (February 1 to August 15). If construction cannot be avoided, a raptor nest survey shall be conducted by a qualified biologist no earlier than 14 days and no later than 5 days prior to any initial tree removal or ground disturbance to determine if any raptor nests are present. If an active raptor nest is discovered during the survey, a buffer of 500 feet (or as determined by the biologist based on a field assessment) would be established around the tree. No construction activity may occur within this buffer area until a biologist determines that the fledglings are adequately independent from the adults. Implementation of the Baron Ranch Restoration Plan would include planting of coast live oak trees which would, over the long term, provide trees suitable for raptor nesting.
- Impact BIO-13: Pursuant to Mitigation Measure BIO-13, clearing and grubbing of trees shall avoid the migratory bird breeding season (February 1 to August 15). If construction cannot be avoided during this period, a nest survey shall be conducted by a qualified biologist no earlier than 14 days and no later than 5 days prior to any initial tree removal or ground disturbance to determine if any nests are present. If an active nest is discovered during the survey, a buffer of 200 feet (or as determined by the biologist based on a field assessment) would be established around the tree. No construction activity may occur within this buffer area until a biologist determines that the fledglings are adequately independent from the adults. Implementation of the Baron Ranch Restoration Plan would include planting of vegetation potentially suitable for nesting birds.

- Impact BIO-14: Pursuant to Mitigation Measure BIO-14, clearing and grubbing of trees and construction in areas of rock outcrops shall avoid the period from May 1 through August 15 to avoid impacts to bat maternity colonies. If construction activities cannot be avoided during this period, pre-construction surveys shall be conducted to determine presence or absence of bat maternity colonies. If active maternity colonies are found a 500 foot buffer (or an appropriate buffer as determined in the field) shall be established and no construction shall occur in this buffer area until a qualified biologist determines that the young are independent. Implementation of the Baron Ranch Restoration Plan would include planting of native trees and expansion of riparian and oak woodland habitat potentially suitable for bat foraging and roosts.
- Impact BIO-18: The California Red-legged Frog Management Plan for the Tajiguas Landfill and Baron Ranch Restoration Project provides measures to minimize impacts to California red-legged frog during restoration activities.
- Impact BIO-CUM-3: The incremental contribution of the proposed Reconfiguration Project would be cumulatively considerable. The proposed project's contribution would be reduced to a less than considerable level and cumulative impacts would be significant but mitigable (Class II) due to imposed mitigation on each cumulative project and project-specific mitigation including restoration of habitat at Baron Ranch.
- Impact BIO-CUM-5: Cumulative impacts are considered significant and the incremental contribution of the proposed Reconfiguration Project would be cumulatively considerable. However, due to regulatory mandated avoidance, required mitigation for each project and the proposed wetlands mitigation provided in the Baron Ranch Restoration Plan, cumulative wetland impacts are expected to be significant but mitigable.

2. Cultural Resources

   The Final SEIR Volume 1 (Sections 4.5.2.4 - 4.5.2.5, page 4.5-10 to 4.5-13) identified two potentially significant impacts to cultural resources that would result from implementation of the project: Impact CR-1, damage to unknown resources at Baron Ranch; Impact CR-2, cumulative disturbance to previously unreported cultural resources. The Board of Supervisors finds that the following mitigation measures would reduce such impacts to a less than significant level.

   - Impact CR-1 and CR-CUM-1: Pursuant to Mitigation Measures CR-1(a-c), prior to initiating ground disturbing activities associated the Baron Ranch Restoration Plan, a qualified archaeologist shall provide workers associated with earth-disturbing activities a cultural resources orientation. A professional archaeologist and Chumash representative shall be retained to monitor all project-related earth disturbance on the east side of Arroyo Quemado Creek and along Drainage C on the west side of the creek. Based on monitoring observations and the actual extent of project disturbance, the lead archaeologist shall have the authority to refine the monitoring requirements as appropriate (i.e., change to spot checks, reduce or increase the area to be monitored) in consultation with the RRWMD. In the event that archaeological resources are exposed during construction, all

earth disturbing work within the vicinity of the find shall be temporarily suspended or redirected until a professional archaeologist has been retained to evaluate the nature and significance of the find pursuant to a Phase 2 investigation. If avoidance of significant cultural resources identified during the Phase 2 investigation is not feasible, a Phase 3 mitigation program consistent with County Archaeological Guidelines and other recommendations of the archaeologist shall be implemented.

C. Findings Related to Less Than Significant (Class III) Impacts

The Final SEIR identified several subject areas for which the project would result in a less than significant environmental impact or make a less than significant contribution to cumulative environmental impacts (Class III). The Board of Supervisors finds that each of these impacts are less than significant and do not require mitigation. Each of these less than significant impacts are discussed below.

1. Geology

   The Final SEIR identified one less than significant geologic impact related to changes in slope stability associated with the reconfigured waste footprint (Impact GEO-1).

2. Water Resources

   The Final SEIR identified eight (8) less than significant impacts related to water resources that would occur as a result of implementation of the proposed project: modified drainage patterns and run-off volumes (Impact WR-1); increased turbidity and sedimentation (Impact WR-2); sediment accumulation (Impact WR-3); groundwater quality degradation due to reconfiguration (Impact WR-4); reduced groundwater quality due to well removal (Impact WR-5); reduced recharge of groundwater from Pila Creek (Impact WR-6); increased reliance on groundwater as a landfill water supply (Impact WR-7); and cumulative increased use of regional groundwater supplies (Impact WR-CUM-1).

3. Biological Resources

   The Final SEIR identified six (6) less than significant impacts related to biological resources that would occur as a result of implementation of the proposed project: loss of habitat for common wildlife species (Impact BIO-5); loss of habitat for southwestern pond turtle (Impact BIO-10); loss of habitat for sharp-shinned hawk, ferruginous hawk, Swainson's hawk, northern harrier, osprey, merlin, peregrine falcon (Impact BIO-12); adverse effects on habitat connectivity and wildlife movement corridors (Impact BIO-15); impacts to sensitive wildlife habitat and sensitive plants at Baron Ranch (Impact BIO-16); and impacts to wetlands at Baron Ranch (Impact BIO-17).

4. Noise

   The Final SEIR identified three (3) less than significant impacts related to noise that would occur as a result of implementation of the proposed project: landfill construction-operation noise (Impact N-1); noise related to restoration at Baron

Ranch (Impact N-2); and cumulative noise impacts at Baron Ranch (Impact N-CUM-1).

5. Land Use

   The Final SEIR identified one (1) less than significant impact related to land use that would occur as a result of implementation of the proposed project: conversion of orchards to native vegetation (Impact AG-1).

D. Findings Related to Beneficial (Class IV) Effects

The Final SEIR identified four (4) potentially beneficial impacts (Class IV) that would occur as a result of implementation of the proposed project. The Board of Supervisors finds that these impacts are beneficial and no mitigation is required. Each of these impacts are discussed below.

1. Groundwater Use at Baron Ranch (Impact WR-8)

   Substantially less groundwater would be used by the restoration project than the current agricultural operations at Baron Ranch. Consequently, it is expected that there will be a decrease in groundwater pumping as a result of the proposed project and a net increase in available groundwater supplies. Therefore, the proposed landfill reconfiguration (including restoration at Baron Ranch) is expected to have a beneficial impact on groundwater supplies in the Arroyo Quemado watershed area.

2. Groundwater Recharge from Arroyo Quemado (Impact WR-9)

   As part of proposed landfill restoration, native plants would be planted along and adjacent to the Arroyo Quemado creek channel. The higher density of plants (as compared to existing orchards and barren areas) would slow down surface runoff during precipitation events. In addition, the native plants would capture more coastal fog producing higher fog drip. The slower runoff and fog capture would allow for more percolation or recharge of surface water into the subsurface soils producing overall increases in soil moisture. The increase in soil moisture should over the long-term produce a net increase of deeper recharge to the groundwater aquifers. Consequently, the proposed project is expected to have a beneficial impact on groundwater recharge.

3. Surface Flow in Arroyo Quemado (Impact WR-10)

   Groundwater pumping can impact base flow or spring flow in the vicinity of wells. Base flow in Arroyo Quemado is believed to be the result of surfacing groundwater (groundwater table elevation above ground level) in the creek corridor. The predicted decrease in groundwater pumping and increase in recharge is expected to generate an increase in the average groundwater table elevation in the aquifers underlying the ranch and the creek corridor. Consequently, the proposed project may result in increased base flow in Arroyo Quemado, which would be a beneficial impact.

4. California Red-legged Frog at Baron Ranch (Impact BIO-18)

   Implementation of the Baron Ranch Restoration Plan and California Red-legged Frog Management Plan would increase the habitat area and habitat quality for California red-legged frog at Baron Ranch and is considered a beneficial impact.

E. Findings Related to Growth Inducing Effects

Section 15126.2(d) of the State CEQA Guidelines requires an EIR to discuss ways in which a project could foster economic or population growth. The following discussion is a summary from Section 6.0 of the Final SEIR. Based on this analysis the Board of Supervisors finds, that the proposed project would not be growth inducing.

1. Urbanization of Land

   The proposed project would be implemented at the existing Tajiguas Landfill and Baron Ranch. Both of these sites are located in the unincorporated Gaviota Coast Rural Region. The landfill has been in continuous operation at the site since 1967. Reconfiguring a portion of the waste footprint (approximately 12 acres out of the 118 acre permitted area) would not be considered urbanization. The Baron Ranch was specifically acquired by the County as an open space buffer between the landfill and adjacent properties and to prevent future subdivision adjacent to the landfill. Therefore, the project would not result in urbanization of the project area which could promote population growth.

2. Removal of an Impediment to Growth

   Landfill capacity may be limited in some communities, but generally is not an impediment to growth. Due to capacity provided by the approved Tajiguas Landfill Expansion Project and current waste diversion rate (certified diversion rate of 69%) associated with the County's integrated waste management program, the Tajiguas Landfill has adequate capacity to serve the south coast of Santa Barbara County and Santa Ynez and Cuyama Valleys until approximately 2023 based on current waste disposal rates. The proposed project would not result in an increase in the solid waste disposal capacity of the Tajiguas Landfill, or otherwise affect the ability of the landfill to meet the needs of the region. The project would not establish an essential public service for future development, and would not remove an impediment to growth.

3. Economic Growth

   The project would not directly result in the construction of any homes or facilities that would attract people to the area. Waste disposal activities at the Tajiguas Landfill would be the same under the proposed landfill reconfiguration, and no new employment opportunities would be generated. However, proposed restoration activities at Baron Ranch would generate a small short-term demand for construction and landscaping services. The construction period for restoration activities would occur periodically for several months over several years, and would not generate a constant or long-term demand for services. Given the small scale of proposed restoration activities and the temporary demand it would create, it is expected that construction services would be provided by the existing labor force. Considering the

above, it is not expected that the project would facilitate economic expansion, population growth, or the construction of additional housing in the area.

F. Project Alternatives

CEQA requires EIRs to assess feasible alternatives or mitigation measures that may substantially lessen significant impacts of projects under review. CEQA also requires lead agencies to make findings regarding whether technical or other considerations make infeasible the alternatives or mitigation measures identified in the EIR. The range of alternatives in an EIR is governed by a "rule of reason" that requires the EIR to set forth only those alternatives necessary to make a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project (CEQA Guidelines Section 15126.6 [f]). Of those alternatives, the EIR need examine in detail only the ones that the lead agency determines could feasibly attain most of the basic objectives of the project. The range of feasible alternatives shall be selected and discussed in a manner to foster meaningful public participation and informed decision-making.

When addressing feasibility, the State CEQA Guidelines Section 15126.6 state that "among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries (projects with a regionally significant impact should consider the regional context), and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site (or the site is already owned by the proponent)." The CEQA Guidelines also state that the alternative discussion need not be presented in the same level of detail as the assessment of the proposed project.

1. Project Objectives

   As described in the Final SEIR, the objectives of the Tajiguas Landfill Reconfiguration and Baron Ranch Restoration Project include:

   - Continue to meet the waste disposal needs of southern Santa Barbara County and the Santa Ynez and Cuyama Valleys and the project objectives of the Certified Final EIR for the approved Tajiguas Landfill Expansion Project;
   - Continue to provide the permitted solid waste disposal capacity (23.3 million cubic yards) as specified in Solid Waste Facility Permit #42-AA-0015 at the Tajiguas Landfill for southern Santa Barbara County, Santa Ynez and Cuyama Valleys in a cost-effective manner while meeting or exceeding all regulatory requirements including sediment control;
   - Provide a landfill design that addresses soil management (e.g., excavation and stockpiling) requirements and feasible sediment control options for the landfill;
   - Eliminate impounded water within the portion of Pila Creek upstream of the historic unlined portion of the landfill;
   - Construct and operate a project that results in a net environmental benefit; and
   - Reduce costs associated with construction of the currently permitted Tajiguas Landfill Expansion Project.

2. Findings that Certain Project Alternatives are not Feasible

The feasibility and relative impacts of using other in- or out-of-county landfills, building a new landfill, and the impacts associated with alternative waste disposal technologies were addresses in the Tajiguas Landfill Expansion Project EIR (01-EIR-05). Specific findings regarding the infeasibility of these alternatives were made by the Board of Supervisors during certification 01-EIR-05 and approval of the Tajiguas Landfill Expansion Project on August 13, 2002 (CEQA Findings and Statement of Overriding Considerations Tajiguas Landfill Expansion Project, August 13. 2002) These findings are incorporated by reference.

A total of eight alternatives (including the No Project Alternative) to the reconfiguration project were initially identified and underwent preliminary design, engineering, regulatory and environmental analysis (Final SEIR Section 5.1) to meet the current project objectives. Four alternatives were subject to detail review (Alternatives A through D) and four were identified but not subject to detailed review in 08EIR-00000-00007. Section 15091(a) of the State CEQA Guidelines requires the County to identify alternatives assessed in the EIR which are infeasible due to economic, legal, social, technological or other considerations.

Alternatives Subject to Detailed Review

- **Alternative A - Landfill Reconfiguration with Subsurface Pipeline (Option B – Upper Pipeline)**. This alternative would include the same waste footprint modification as the proposed project. However, drainage control above and around the reconfigured waste footprint would be in a buried pipe culvert rather than in an above-ground concrete-lined drainage channel in an attempt to minimize impacts to sensitive habitats, plants, and wildlife in Pila creek associated with the required drainage modifications. The buried pipe would connect to the existing upper 48-inch storm drain.

  To provide the necessary minimum flow gradient in the new pipe culvert to meet the existing downstream inlet elevation, the amount of fill and the disturbance footprint for the installation of the pipeline and associated impacts would be the same as the proposed project. This alternative is technologically feasible and would meet the project objectives, but would be less preferred from an engineering design standpoint due to difficulties in monitoring, maintaining and repairing a subsurface pipeline as compared to an above-ground channel. The Board of Supervisors find that Alternative A would not reduce any impacts of the proposed project and is therefore rejected.

- **Alternative B - Landfill Reconfiguration with Expanded Upstream Drainage Fill**. This Alternative would include construction of the proposed reconfiguration across the in-channel sedimentation basins as described for the proposed project. A new earthen drainage channel (similar dimensions as the proposed concrete-lined trapezoidal channel) would be constructed in the drainage fill to convey flows around the reconfigured waste footprint. To achieve the necessary flow gradient construction of the earthen channel the alternative would require an additional 150,000 cubic yards of earth material as

compared to the proposed project and expand the disturbance footprint in Pila Creek.

Due to the greater slope gradient required to maintain flow in the earthen drainage channel, the drainage fill would extend approximately 1,350 feet along Pila Creek (350 feet more in length than the proposed project) and 485 feet in length up the side channel and increase the construction and maintenance footprint thereby increasing the biological impacts. This alternative would meet all of the project objectives and is the preferred engineering design, but it would result in greater impacts than the proposed project. The Board of Supervisors finds that Alternative B would not reduce any impacts of the proposed project and is therefore rejected.

- **Alternative C - Permitted Configuration with Increased Maintenance of the In-channel Basins**. To reduce impacts to sensitive habitats, plants and wildlife associated with the proposed project drainage modifications, this Alternative would use the in-channel sediment basins to manage the sediment from both the undisturbed upper watershed area and the active landfill area. Under this Alternative, waste filling would continue under the Tajiguas Landfill Expansion Project configuration approved/permitted in 2002/2003. A reinforced earth buttress would be constructed immediately to the east of the in-channel basins and would extend northward along the eastern edge of Pila Creek. Construction of the buttress would eliminate the existing out-of-channel basin and the in-channel basins would be used to provide sediment control for the disturbed landfill area and the undisturbed upper watershed area of Pila Creek. This Alternative would meet only two of the six basic project objectives of the project. The Permitted Configuration with Increased Maintenance of the In-channel Basins Alternative would not fully address sediment control requirements (Project Objectives No. 2 and 3), it would not eliminate impounded water within Pila Creek upstream of the historic unlined portion of the landfill (Project Objective no. 4, and would not reduce construction costs (Project Objective No. 6).

  Implementation of this Alternative would result in greater water resources impacts (water quality/siltation and flooding and drainage), and greater air quality impacts (due to greater heavy equipment activity) as compared to the proposed project. Significant and unavoidable impacts to California red-legged frogs would occur under this alternative due to the need to aggressively maintain the basins. Additional biological impacts associated with upstream drainage modifications would not occur under this alternative but reductions in impacts to chaparral habitats in the North Slope borrow/stockpile would also not occur. Net biological benefits of comprehensive restoration of the Arroyo Quemado riparian corridor at Baron Ranch would not be realized (Project Objective No. 5). For these reasons the Board of Supervisors finds that Alternative C is infeasible.

- **Alternative D - No Project Alternative**. The No Project Alternative would also involve continued waste disposal under the approved and permitted landfill design/configuration, but due to current soil management requirements the

existing out-of-channel basin would be displaced and would not be replaced until landfill closure. This Alternative would meet only two of the six basic objectives of the project. The No Project Alternative would not address landfill sediment control requirements (Project Objectives No. 2 and 3), it would not eliminate impounded water within Pila Creek upstream of the historic unlined portion of the landfill (Project Objective No. 4), and would not reduce construction costs (Project Objective No. 6).

Significant and unavoidable impacts to California red-legged frogs would occur under this Alternative. Additional biological impacts associated with upstream drainage modifications would not occur under this alternative but reductions in impacts to chaparral habitats in the North Slope borrow/stockpile would also not occur. This alternative would involve 1.3 million cubic yards more earthmoving as compared to the proposed project increasing noise and air quality impacts as compared to the proposed project. Implementation of this Alternative would result in greater water resources impacts (drainage and flooding and water quality/siltation). Net beneficial biological impacts of comprehensive restoration of the Arroyo Quemado riparian corridor at Baron Ranch would also not be realized (Project Objective No. 5). For these reasons the Board of Supervisors finds that Alternative C is infeasible.

Alternatives Not Subject to Detailed Review

- **Landfill Reconfiguration with Subsurface Pipeline (Option A – Lower Pipeline)**. This Alternative was originally identified in an attempt to reduce impacts to sensitive habitats, plants, and wildlife in Pila Creek resulting from the proposed project drainage modifications. Under this Alternative, drainage would be conveyed around the reconfigured landfill footprint in a subsurface pipeline. Maintenance of the pipeline would be required to remove accumulated debris/sediment and repair damage caused by seismic activity or settling. Maintenance would involve extensive excavation to create a safe working environment as shoring of the trench would not be feasible at this depth. The excavation would likely require disturbance of buried waste, and could compromise the leachate and landfill gas collection systems. At this depth, landfill gas may also collect in the pipeline and flow down-slope to the storm drain outlet, resulting in elevated methane and CO2 concentrations, potentially causing health and safety issues. Further, this alternative would not meet the basic project objective of removing ponded water upstream of the unlined portion of the landfill. For these reasons, the Board of Supervisor finds that this Alternative is infeasible.
- **Landfill Reconfiguration with a New California Red-Legged Frog Pond in the Northern Portion of Pila Creek**. The intent of this Alternative was to attempt to reduce impacts to the California red-legged frog by creating new pond habitat within the Pila Creek watershed rather than relocating frogs to Baron Ranch and permanently preserving habitat in the Arroyo Quemado watershed. Based on preliminary engineering design due to the limited tributary area, the volume and duration of surface water which would be held in the pond may not provide suitable California red-legged frog breeding habitat.

The pond would also require annual sediment removal to maintain capacity as no other sediment control is present upstream of the proposed pond location. It is likely that the reduced habitat area and quality and annual disturbance associated with sediment removal would not offset loss of the in-channel basins, and would not ultimately sustain suitable pond habitat to support a breeding California red-legged frog population. Further, California red-legged frogs relocated to the new basin would continue to be impacted by ongoing landfill operations including soil stockpiling/borrow activities located only 100 feet east of the proposed pond. This Alternative would also expand the disturbance footprint further upstream in Pila Creek resulting in increased impacts to other biological resources (loss of native trees and potentially other sensitive habitats, plants and sensitive wildlife. The Board of Supervisors finds that this Alternative would not reduce significant impacts of the proposed project, and is infeasible from an engineering, environmental and regulatory perspective.

- **Permitted Configuration with Expanded Northern In-Channel Basin**. The intent of this Alternative was to provide additional sediment capacity by expanding the northern in-channel basin and preserving the southern in-channel basin for California red-legged frog habitat. This Alternative would involve construction of a new dam to increase the capacity of the northern in-channel basin to impound storm water and collect sediment. Maintenance of the expanded basin to retain adequate sediment control capacity may also be technically infeasible as the added volume of water would make it difficult to drain the basin and dry accumulated sediment in sufficient time to allow sediment removal to occur during the dry season. While the intent would be for the southern in-channel basin to be the refuge for California red-legged frogs due to the proximity between the two basins, it would be difficult to exclude frogs from the northern basin. Therefore, ongoing impacts to the frogs due to maintenance activities could occur.

  This Alternative would not meet the objective of eliminating impounded water above the historic unlined portion of the landfill, and would increase the volume of impounded water potentially causing seepage into the unlined portion of the landfill. It would not meet the objective of reducing costs, as design, construction and maintenance of a new dam would increase costs as compared to the approved Tajiguas Landfill Expansion Project. From a biological standpoint, existing plant communities in the inundation area would likely be adversely impacted and biological impacts in upper Pila Creek area would not be substantially reduced as compared to the proposed project. Further, the County considers it imprudent to construct a dam above an active landfill, and the California Integrated Waste Management Board and Regional Water Quality Control Board staff concur (Final SEIR Section 5.3.3, page 5-24). Dam failure could generate extreme flows potentially exceeding the existing drainage capacity of the storm drain system and Pila Creek, and could result in exposure of buried waste and possible transport of such waste off-site.

  The Board of Supervisors finds that this Alternative would not reduce the environmental impacts of the proposed project, and is technically infeasible.

- **Permitted Configuration with New Downstream Sedimentation Basin**. The intent of this Alternative would be to reduce the biological impact of the proposed project and to meet the sediment control objectives by providing a new basin near the front entrance of the landfill. Under this Alternative, the approved earth buttress would be constructed immediately to the east of the in-channel basins and the out-of-channel basin would be eliminated. RRWMD would continue maintenance of the in-channel basins under the schedule included in the current California Red-legged Frog Maintenance Plan (Santa Barbara County, 2008). The new sedimentation basin would be located within the County's coastal zone.

  This Alternative would reduce, but not eliminate, biological impacts to California red-legged frogs associated with the construction of the reconfigured waste footprint across the in-channel basins in upper Pila Creek, and avoid impacts to the riparian corridor (sensitive habitats, plants, and wildlife) in upper Pila Creek, but would introduce new impacts to biological resources in lower Pila Creek (in areas designated by the County as environmentally sensitive habitat). This Alternative is not considered feasible from an engineering perspective as sediment from the undisturbed and disturbed areas of the landfill would be comingled and suspended sediment would need to be carried through the existing storm drain pipe from the in-channel basins around the landfill to the new downstream basin. Because of the decrease in the gradient of the drain pipe near the landfill front entrance, sediment could deposit in the pipe before reaching the new basin and cause sediment to settle out and accumulate in (clog) the drainage pipe.

  Further, in 2000, the Santa Barbara County Planning & Development Department reviewed the land use issues associated with a proposed sedimentation basin to be located near the U.S. Highway 101/landfill entrance road intersection. In a letter to the Central Coast Regional Water Quality Control Board dated November 29, 2000, the Planning & Development Department stated "…it is highly unlikely that the County and Coastal Commission could make the necessary findings to approve a rezone and coastal plan amendment from agriculture to Public Utility to accommodate a sedimentation basin for the landfill on the subject property." The Board of Supervisors finds that due to engineering and coastal permitting constraints, this Alternative is infeasible.

3. Findings that the Proposed Project is Found to be Environmentally Superior and is Recommended for Adoption

   The Board of Supervisors finds that the proposed project (which includes the comprehensive restoration activities on Baron Ranch and implementation of the California Red-legged Frog Management Plan) is considered to be the Environmentally Superior Alternative and is recommended for adoption as it meets all of the basic project objectives, is feasible, and would result in lower environmental impacts as compared to the range of alternatives analyzed in this SEIR.

IV. STATEMENT OF OVERRIDING CONSIDERATIONS

Having balanced the benefits of the proposed project against its significant and unavoidable environmental effects, the Board of Supervisors hereby determines that the proposed project's unavoidable impacts are acceptable in light of its benefits. In consideration of the environmental, social, economic, and other factors discussed below, Board approves the project because, in its view, the Project will render the significant effects acceptable.

A. Project Impacts

As summarized in Section 3.A of these findings and as disclosed in the Final SEIR (08EIR-00000-00007) for the Tajiguas Landfill Reconfiguration and Baron Ranch Restoration Project eight (8) environmental impacts would result from implementation of the project which cannot be fully mitigated and are therefore considered significant and unavoidable. These eight (8) impacts include:

1. Cumulative Waste Disposal Emissions (SEIR Impact AQ-CUM-1);
2. Loss of Sensitive and Native Vegetation Communities (SEIR Impact BIO-1);
3. Loss of Sensitive Plant Species (SEIR Impact BIO-2);
4. Loss of Specimen Native Trees (SEIR Impact BIO-3);
5. Loss of Individual Frogs and Habitat for the Threatened California Red-legged Frog (SEIR Impact BIO-6);
6. Cumulative Loss of Habitat for the Threatened California Red-legged Frog (SEIR Impact BIO-CUM-1);
7. Cumulative Loss of Sensitive Vegetation Communities, Sensitive Habitats and Sensitive Plants (SEIR Impact BIO-CUM-2); and
8. Cumulative Loss of Habitat for San Diego Desert Woodrat (SEIR Impact BIO-CUM-4).

B. Overriding Considerations

The Board of Supervisors hereby determines that the proposed project's unavoidable impacts are acceptable in light of the benefits set forth below. Each benefit set forth below constitutes an overriding consideration warranting approval of the project, independent of the other benefits, despite each and every unavoidable impact listed above.

1. Provision of Safe, Reliable and Cost Effective Solid Waste Management

   The proposed project allows RRWMD to continue provide county-controlled and managed, reliable solid waste disposal for the citizens of Santa Barbara County, which is necessary to protect public health and safety and for the protection of the environment.

2. Improved Construction and Operational Conditions and Reduced Operating Costs

   The proposed project would improve operating conditions at the Tajiguas Landfill by improving the stability of the waste prism and by providing larger deck areas and less slope filling. The proposed project would reduce construction, operating and closure

costs at the Tajiguas Landfill by maximizing the use of existing air space and thereby reducing earthmoing requirements and equipment, and operational costs associated with earthmoving activities. Cost savings are estimated at three million dollars.

3. Improved Sediment Control and Surface Water Quality Protection

   The proposed project would allow RRWMD to continue to comply with Waste Discharge Requirements and National Pollutant Discharge Elimination regulations regarding sediment control from the active landfill area. Retention of the out-of-channel sedimentation basin and design changes to the basin will enhance the ability of the RRWMD to capture and control sediment from the active landfill area substantially reducing sediment discharge to surface waters downstream of the landfill.

4. Improved Groundwater Quality Protection

   The proposed project would eliminate water which currently ponds in the in-channel basins located upgradient of the historic unlined portion of the landfill. Water ponded in these basins has been identified a potential source of groundwater seepage and groundwater contamination.

5. Reduced Earthmoving Air Quality Emissions

   The proposed landfill reconfiguration would result in a reduction of approximately 1.3 million cubic yards of earthmoving (see Final SEIR Volume 1, Table 3-1, page 3-4) over the life of the landfill, as compared to the approved expansion. This would reduce heavy equipment use and would result in a corresponding decrease in exhaust emissions and fugitive dust. These emissions contribute to ambient concentrations of ozone and particulate matter, and elimination of these emissions would benefit regional and local air quality.

C. Summary

In summary, the project would allow the county to: continue to provide safe, cost effective and environmentally sound waste disposal capabilities; reduce operational costs, improve operational design; protect surface and groundwater quality; and reduce emissions associated with earthmoving and earthmoving equipment. However, implementation of the proposed project would result in significant and unavoidable cumulative air quality impacts and project-specific and cumulative impacts to biological resources. 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 provision of community solid waste disposal services. The Board therefore finds that the remaining unavoidable significant effects 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” is attached hereto, and by this reference, is incorporated herein.