

California Environmental Quality Act Checklist and Analysis

For

Total Maximum Daily Loads
for Nitrogen Compounds in the Santa Ynez River Basin, Santa
Barbara County, California
(Resolution No. R3-2023-0003)

**A Proposed Amendment to the
Water Quality Control Plan for the Central Coastal Basin**

December 2022

Prepared under the California Environmental Quality Act (CEQA)
Requirements of a Certified Regulatory Program

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION**

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A. PROJECT TITLE

Total maximum daily loads (TMDLs) for nitrogen compounds in the Santa Ynez River basin, Santa Barbara County California.

B. LEAD AGENCY NAME AND ADDRESS

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D. PROJECT DESCRIPTION

This TMDL Project proposes to amend the Water Quality Control Plan for the Central Coastal Basin (Basin Plan). This Basin Plan amendment and the associated implementation measures could cause physical changes in the environment. The staff of the Regional Water Quality Control Board, Central Coast Region (Central Coast Water Board) prepared substitute environmental documents (SED) for this project that contain the required environmental documentation as set forth in the State's CEQA regulations (23 California Code of Regulations [CCR] section 3777). The amendment to the Basin Plan would establish Total Maximum Daily Loads (TMDLs) for nitrogen compounds in the Santa Ynez River basin (also referred to as the TMDL Project). For the TMDL Project, the Central Coast Water Board is the Lead Agency under CEQA for evaluating the environmental impacts of the proposed amendment to the Basin Plan. TMDLs are the maximum load of pollutants that a waterbody can receive and still achieve water quality standards. Some streams of the Santa Ynez River basin are not achieving water quality standards due to nutrient-related impairments (e.g., excessive nitrogen).

The Central Coast Water Board is required to develop and adopt TMDLs and associated implementation plans for surface waters that are not achieving water quality standards (title 40, Code of Federal Regulations [CFR], section 130.6(c)(1), section 130.7, California Water Code [CWC], section 13242).

Pursuant to Public Resources Code (PRC) section 21080.5, the California Natural Resources Agency has approved the Central Coast Water Board's basin planning process as a "certified regulatory program" that satisfies the CEQA (PRC, section 21000 et seq.) requirements for preparing standard environmental documents (14 California Code of Regulations [CCR], section 15251(g); 23 CCR, section 3775 et seq.). The Central Coast Water Board's basin planning process is designed to protect the environment and ensure public participation. This basin planning action establishing TMDLs and associated implementation plans is not exempt from the CEQA substantive content requirements, and

therefore, the Central Coast Water Board has prepared substitute environmental documentation (SED) for this project that contains the required environmental documentation as set forth in the State Water Resources Control Board's regulations (23 CCR, section 3775 et seq.). The SED includes this CEQA Checklist and Analysis along with the TMDL Project Staff Report and its attachments.

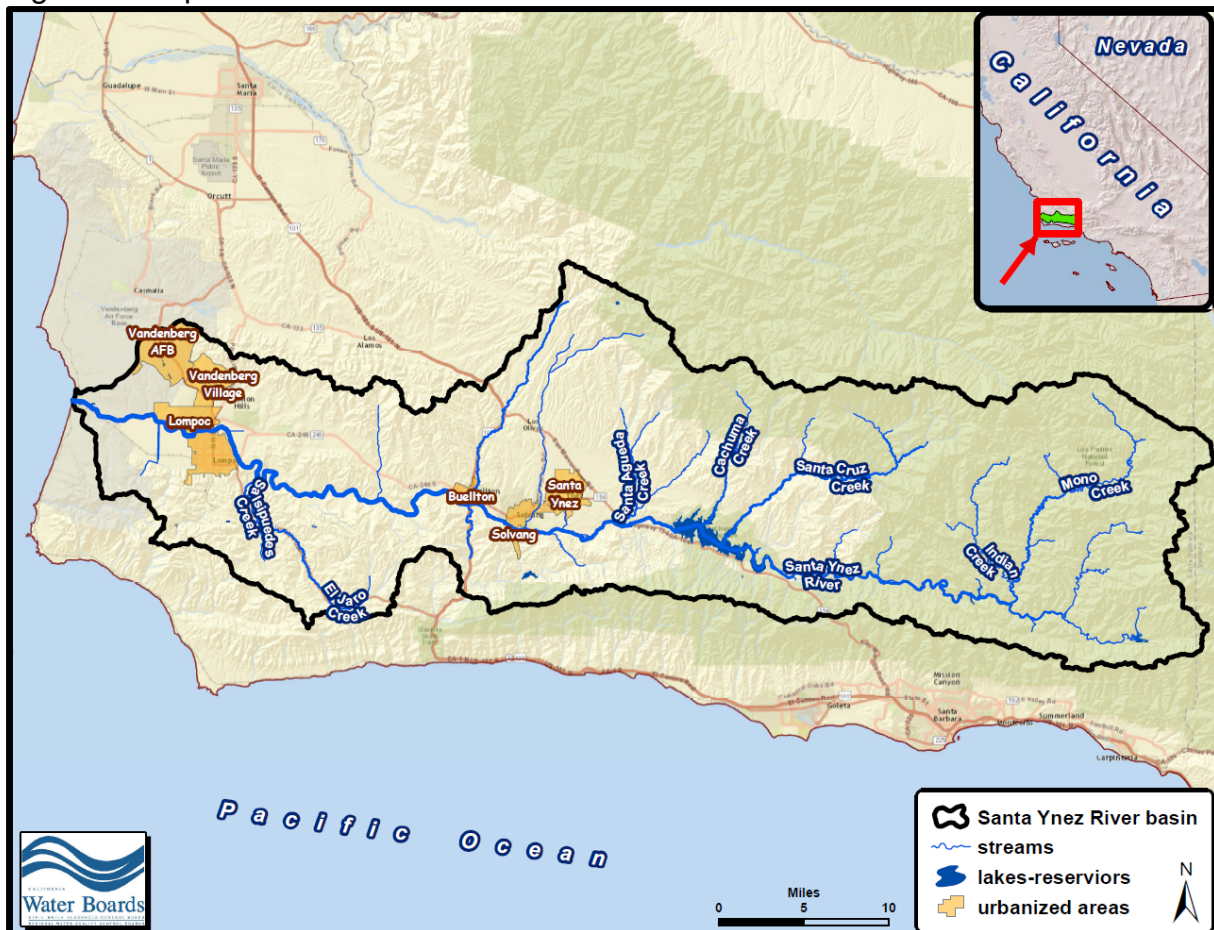
This CEQA Checklist and Analysis evaluates environmental impacts that may occur from reasonably foreseeable methods of compliance with or implementation of the TMDLs.

The SED will be considered for approval by the Central Coast Water Board when it considers adoption of the Basin Plan amendment. Approval of the SED includes the process of 1) addressing comments, 2) confirming that the Central Coast Water Board considered the information in the SED, and 3) affirming that the SED reflects independent judgment and analysis by the Central Coast Water Board (CCR title 14, section 15090).

E. PROJECT LOCATION

This TMDL Project is for Santa Ynez River basin in Santa Barbara County. Figure 1 presents a map of this River basin. Major cities and towns in the river basin include Lompoc, Solvang, Santa Ynez.

Figure 1. Map of the Santa Ynez River basin.



F. REGULATORY REQUIREMENTS FOR ENVIRONMENTAL IMPACT ANALYSIS

This section presents the regulatory requirements for assessing environmental impacts of a TMDL Project implemented through a Basin Plan amendment by the Central Coast Water Board. TMDL Projects are evaluated at a programmatic level (e.g., a watershed or planning area) and not at the project level (e.g., a specific project site) of detail. As a Basin Plan amendment, this TMDL Project is considered a certified regulatory program, and the information and analyses are presented in the SED. The SED is comprised of this CEQA checklist and analysis report along with the nutrient compounds TMDL Project report and implementation plan, and the proposed Basin Plan amendment.

1. Exemption from Certain CEQA Requirements

The California Secretary of Resources has certified the State and Regional Water Boards' basin planning process as exempt from certain requirements of CEQA, including preparation of an initial study, negative declaration, and environmental impact report. (CCR, title 14, section 15251(g).) As the proposed amendment to the Basin Plan is part of the basin planning process, the environmental information developed for and included with the amendment can substitute for an initial study, negative declaration, and/or environmental impact report.

2. California Code of Regulations and Public Resources Code Requirements

While the certified regulatory program of the Central Coast Water Board is exempt from certain CEQA requirements, it is subject to the substantive requirements of CCR, title 23, section 3777(a), which requires a written report containing environmental analysis of the project and an Environmental Checklist (see Section J of this document). Further, section 3777(b) requires identification of any significant or potentially significant adverse environmental impacts of the project and analysis of reasonable alternatives to the project and mitigation measures to avoid or reduce significant impacts, and an analysis of the reasonably foreseeable methods of compliance with the TMDL Project.

In addition, the Central Coast Water Board must fulfill substantive obligations when adopting performance standards such as TMDLs, as described in PRC section 21159. PRC section 21159, which allows expedited environmental review for mandated projects, provides that an agency shall perform, at the time of the adoption of a rule or regulation requiring the installation of pollution control equipment, or a performance standard or treatment requirement, an environmental analysis of the reasonably foreseeable methods of compliance. Further, PRC section 21159(a) requires that the environmental analysis, at a minimum, include the following:

1. An analysis of the reasonably foreseeable environmental impacts of the methods of compliance.
2. An analysis of reasonably foreseeable feasible mitigation measures.
3. An analysis of reasonably foreseeable alternative means of compliance with the rule or regulation.

PRC section 21159(c) requires that the environmental analysis consider a reasonable range of environmental, economic, and technical factors, population and geographic areas, and specific sites.

3. Program and Project Level Analyses

PRC section 21159(d) states that agencies such as the Water Boards preparing SEDs are not required to conduct a project level analysis. Rather, if a project level analysis is required, it must be performed by the public agencies that are required to implement the requirements established by the TMDL Project. (PRC section 21159.2.) Notably, the Central Coast Water Board is prohibited from specifying the manner of compliance with its regulations or requirements (CWC, section 13360), and accordingly, the actual environmental impacts that result from this TMDL project will depend upon the compliance strategies selected by responsible parties.

4. Purpose of CEQA

CEQA's basic purposes (CCR, title 14, section 15002(a)) are to:

1. inform the decision makers and public about the potential significant environmental effects of a proposed project,
2. identify ways that environmental damage may be avoided or significantly reduced,
3. prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternative or mitigation measures when feasible, and
4. disclose to the public why an agency approved a project if significant effects are involved.

To fulfill these functions, a CEQA review need not be exhaustive and CEQA documents need not be perfect. They need only be adequate, complete, and good faith efforts at full disclosure. (CCR, title 14, section 15151.) A CEQA document does not require unanimity of opinion among experts (see *River Valley Preservation Project v. Metropolitan Transit Development Board* (1995) 37 Cal. App. 4th 154). The analysis is satisfactory if those opinions are considered. In this document, Central Coast Water Board staff has performed a good faith effort at full disclosure of the reasonably foreseeable environmental impacts that could be associated with the proposed TMDL Project.

5. Determining Significant Impacts and Thresholds of Significance

A key component of CEQA is determining whether environmental impacts are significant. A significant effect on the environment is defined as a substantial or potentially substantial adverse change in the environment. (PRC, sections 21068, 21100(d)); CCR, title 14, section 15382.) To assess the impact of a proposed project on the environment, the lead agency examines the changes to existing environmental conditions that would occur in the affected area if the proposed project were implemented. (CCR, title 14, section 15125.2(a); *San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal. App. 4th 645.)

The basis of determining whether an environmental impact is potentially significant is the comparison of reasonably foreseeable project impacts to thresholds of significance for protecting the resource. Thresholds of significance are quantitative or qualitative analytical criteria used to determine the effects of a project on the environment. The thresholds may

vary with the setting of the TMDL Project and may be developed for an individual project or the lead agency may have established thresholds. The lead agency can also consider thresholds of significance adopted for other projects or by other agencies (CCR, title 14, section 15064.7). For this TMDL Project, Central Coast Water Board staff considered thresholds of significance adopted in other TMDL Projects, along with ones used by other regulatory programs and public agencies.

G. ENVIRONMENTAL SETTING

This section describes the current environmental conditions of the Santa Ynez River basin. The regional geographic setting and environmental settings are also more extensively described in the *Santa Ynez River Basin Nitrogen Compounds TMDL Report*.

1. Land use:

Figure 2 illustrates a map view of land use-land cover in the Santa Ynez River basin. The River basin's land use-land cover is tabulated in Table 1.

The upper Santa Ynez River basin remains in a relatively natural and undisturbed state within the Los Padres National Forest, with an ecosystem characterized by chamise-redshank chaparral, oak woodlands, and some areas of montane-hardwood conifer woodlands.

The lower Santa Ynez River basin, below Cachuma Dam, has a more significant human footprint where landscapes are characterized by urbanized/developed lands, cultivated cropland, coastal oak woodland and coastal scrub.

Figure 2. Land use–land cover in the Santa Ynez River basin (source: National Land Cover Dataset, 2011).

Table 1. Tabulation of land use and land cover in the Santa Ynez River basin.

Land cover category

Evergreen Forest

Figure 3 presents a map of generalized geologic conditions in the Santa Ynez River basin. Figure 4 is a summary map of hydrologic soils groups in the River basin.

Figure 3. Generalized geologic map of the Santa Ynez River basin (source, U.S. Geological Survey, 2005).

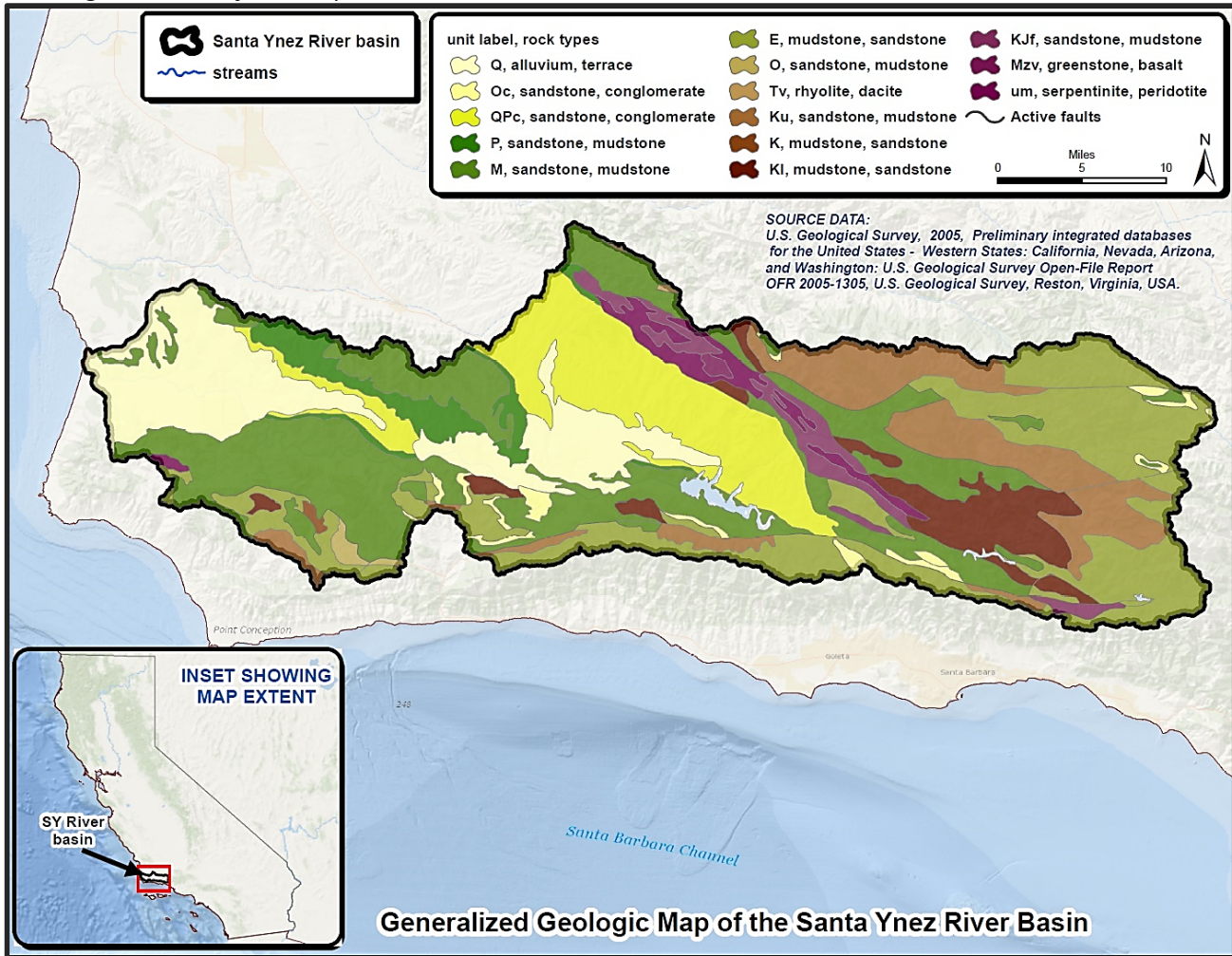
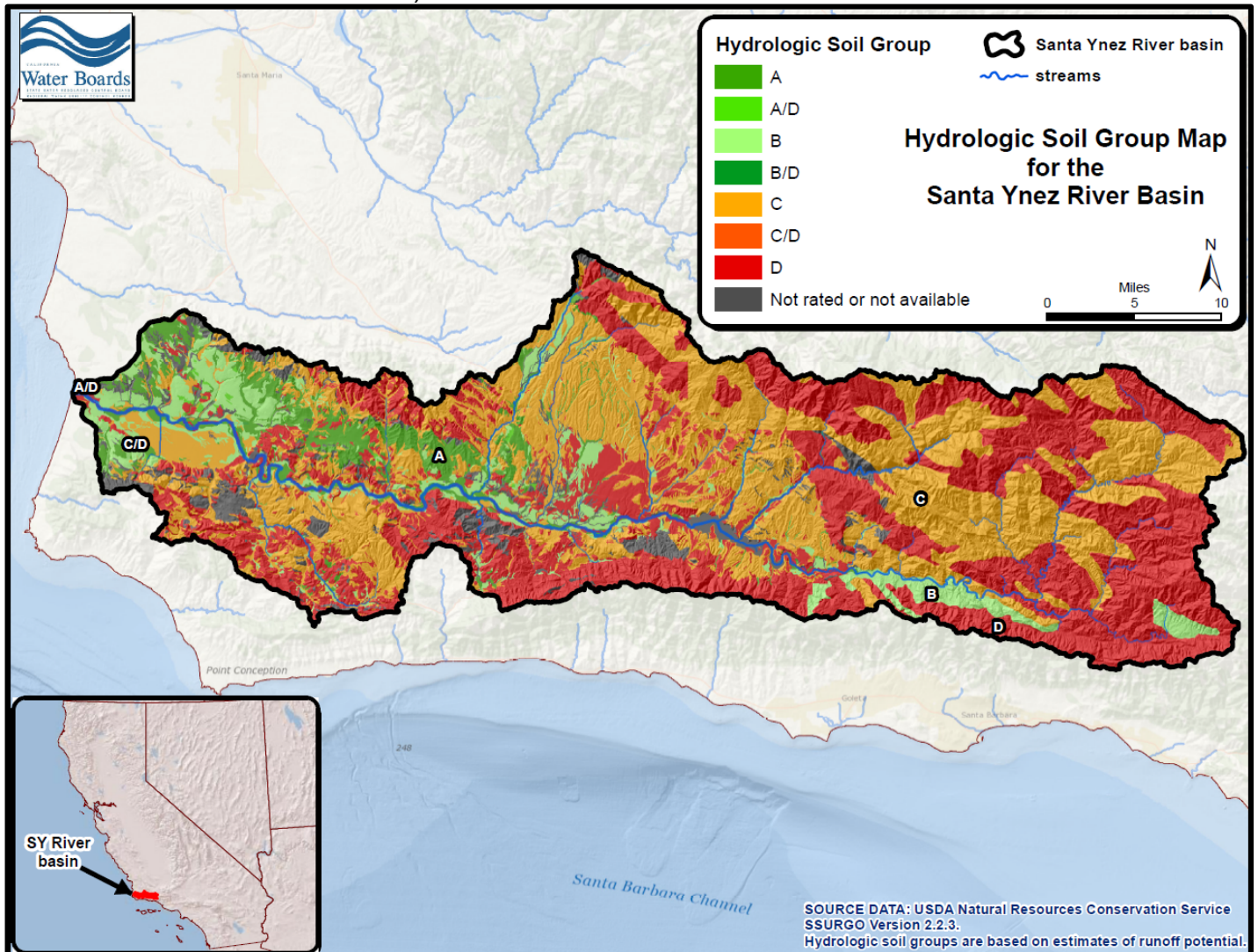


Figure 4. Map of hydrologic soils groups (HSGs) in the Santa Ynez River basin (source: Natural Resources Conservation Service).



Hydrologic Soil Group Descriptions

A	Well drained to excessively drained sands or gravelly sands.
B	Moderately well drained or well drained soils having moderately fine to moderately coarse texture.
C	Soils having a slow infiltration rate when thoroughly wet; moderately fine or fine texture.
D	Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays, soils which have a high water table, soils that have a claypan or clay layer near the surface, and soils that overlie a shallow, nearly impervious surface.
A/D	If a soil is assigned a dual hydrologic group, the first letter is for drained areas and the second is for undrained areas.

4. Mineral Deposits:

Mineral resources present in the Santa Ynez River basin historically have included commodities such as sand and gravel, mercury, diatomite, limestone (see Table 2). The River basin has historically seen oil and gas exploration and production, including the Lompoc Oil Field located several miles north of the City of Lompoc.

Table 2. Historical mining operations in the Santa Ynez River basin based on data from the Principal Areas of Mine Pollution (PAMP) database.

Name of mine	Commodity
Santa Ynez Group	mercury
Sunbird Mine	mercury
Los Prietos (Juniper)	mercury
Acachuma (Redrock)	mercury
Copper King	copper
Bee Rock Quarry	rock
Quarry	limestone
Buellflat Rock Co.	sand & Gravel
Airport Materials	sand & Gravel
Gravel Pit	sand & Gravel
Dicalite Quarry	diatomite
Southern Pacific Milling Co.	sand & Gravel
Purisima Hills Quarry	rock
Johns-Manville Prods. (Great Lakes Carbon Corp)	diatomite
LaSalle Canyon Quarry	diatomite
Gravel Pits	sand & Gravel

5. Biology:

Information on biological resources come directly from the Santa Ynez River Watershed Report, 2013 (Prepared by: Heidi Block and Aaron Francis, Fisheries Biologists Pacific States Marine Fisheries Commission, and California Department of Fish and Wildlife).

Steelhead trout (*Oncorhynchus mykiss*) were observed in the upper Santa Ynez River as well as one of its tributaries, Santa Cruz Creek. One potential *Steelhead trout* was seen on the mainstem of the upper Santa Ynez below Gibraltar Dam. There were 41 *Steelhead trout* observed above Gibraltar Reservoir on the mainstem Santa Ynez, ranging from 2-8 inches. In mainstem Santa Cruz Creek 918 fish were observed, most of which were between 2 and 4 inches (858 fish), but ranged in size from 2 inches to 12 inches. The most fish were seen in the West Fork of Santa Cruz Creek, with a total of 2,252 fish, with the majority between 2 and 4 inches (1972 fish) and the remaining ranging from 5 to 12 inches. Forty-seven fish were also seen on the East Fork of Santa Cruz Creek, below the

lowest waterfall. No fish were observed above the first waterfall on East Fork Santa Cruz Creek.

Several amphibian and reptile species were also sited during the surveys. There were numerous sightings of the California and Pacific tree frogs in all of the streams surveyed. In addition, two federally endangered species were observed, the arroyo toad and red-legged frog. Two juvenile arroyo toads were observed on the bank near the confluence of Indian Creek and Buckhorn Creek. Red-legged frog juveniles and tadpoles were observed on the Santa Ynez mainstem above Gibraltar Reservoir. Hundreds of invasive bullfrog tadpoles were also seen in several of the streams. In terms of reptiles there were numerous sightings of the Western pond turtle throughout the watershed, as well as the two-striped garter snake; both of which are California species of special concern. There was also one sighting of a California kingsnake and two sightings of western rattlesnakes. Aquatic macro-invertebrates were present throughout the surveyed area in the Santa Ynez watershed where continuous flow was observed, such as water boatman, water striders, giant water bugs, mayflies, caddisflies, and midge larva. Macro-invertebrates would provide a food source for rearing juvenile *Steelhead trout*. Few mammals were observed during the survey; however, there was evidence of their presence throughout the watershed. In several areas of the mainstem between Lake Cachuma and Gibraltar Reservoir, as well as above Gibraltar Reservoir, there was clear evidence of beaver activity. This included chewed down branches and trees, as well as several small beaver dams. A female black bear and her cub were seen on Coche Creek, a tributary to Santa Cruz Creek. In addition, many tracks were visible along the banks of the streams including deer, raccoon, bobcat, black bear, and mountain lion.

6. Air Quality:

The Santa Ynez River basin is in boundaries of the Santa Barbara County Air Pollution Control District, which is the agency that monitors and reports on air quality in the air basin. **Error! Not a valid bookmark self-reference.** presents air quality for the air basin from the 2020 Pollution Control District's annual report. The City of Lompoc, which is in the lower part of the river basin, recorded zero days exceeding ozone, nitrous oxide, or sulfur dioxide air quality standards, and 17 days exceeding state PM₁₀ particulate matter standards.

Table 3. Screen capture of table from 2020 Santa Barbara County Air Pollution Control District's annual air quality report. The stations located in Lompoc and Santa Ynez are within the Santa Ynez River basin.

Number of Days that Exceeded Air Quality Standard									
Station	O ₃ -1hr (state)	O ₃ -8hr (state)	O ₃ -8hr (federal)	NO ₂	SO ₂	CO	PM ₁₀ (state)	PM ₁₀ (federal)	PM _{2.5} (federal)
Carpinteria	2	2	2	0	-	-	-	-	-
Goleta	0	0	0	-	-	-	11	0	6
Las Flores Canyon	0	2	2	0	0	0	6	0	-
Lompoc H Street	0	0	0	0	0	0	17	0	8
Lompoc North	0	0	0	0	0	-	-	-	-
Paradise	2	4	4	0	-	-	-	-	-
Santa Barbara	2	2	2	-	-	-	11	0	6
Santa Maria	0	0	0	0	-	0	32	0	9
Santa Ynez	0	0	0	-	-	-	-	-	-
Countywide Total	4	6	6	0	0	0	33	0	10

¹ A dash indicates that the pollutant is not measured at this location.

7. Water Resources:

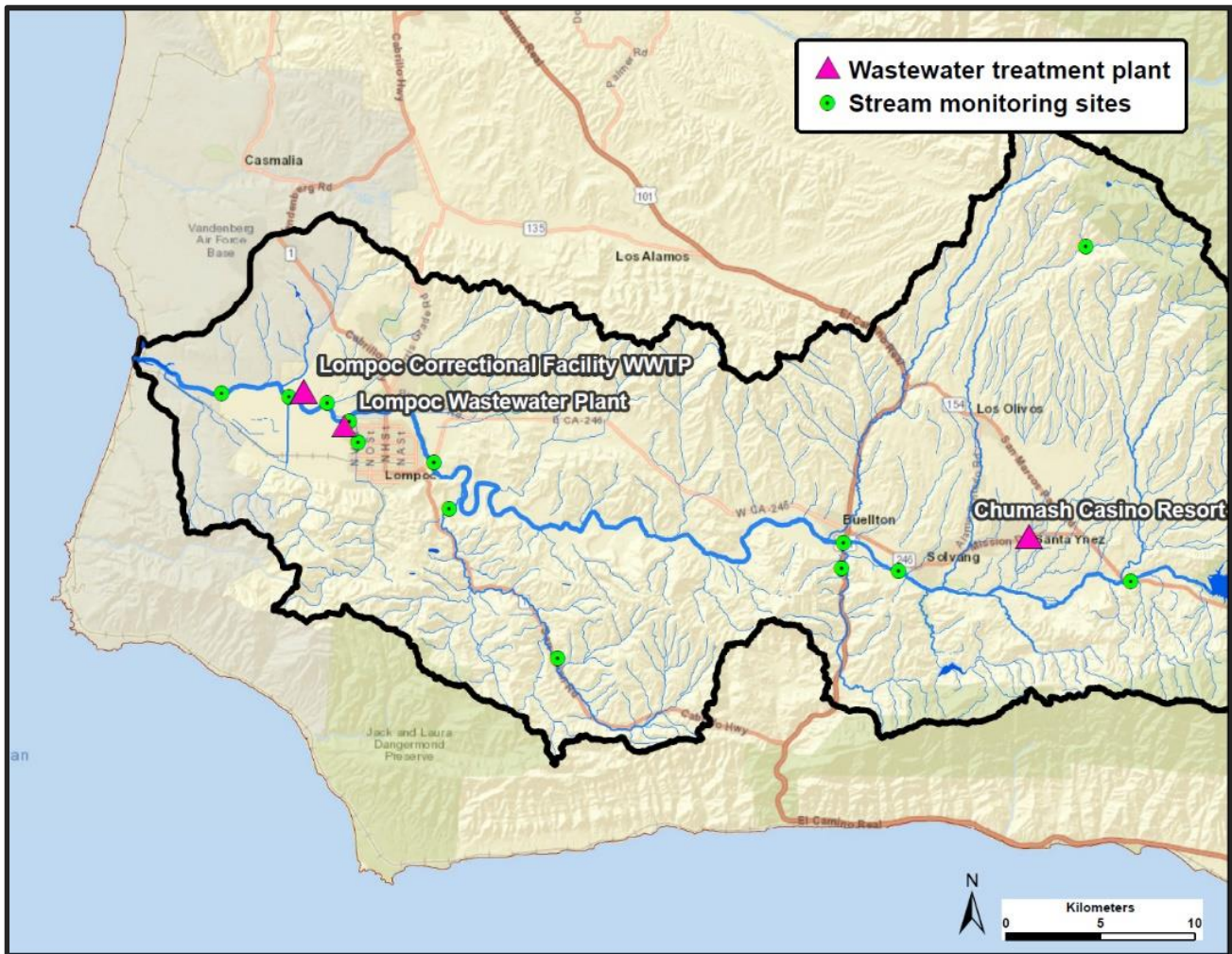
Between 1920 and 1952, three reservoirs were constructed on the Santa Ynez River to capture and store River water. The three reservoirs currently have a combined storage capacity of about 200,000 acre feet. Two of the reservoirs are owned and operated by local entities while the third and largest of these, Cachuma Reservoir, was constructed by the federal Bureau of Reclamation. The combined draft on the three reservoirs is about 32,700 AFY. Cachuma Reservoir is the major water supply source for southern Santa Barbara County. About one-third of the demand within the watershed is fulfilled by Cachuma Reservoir while the remaining two-thirds is met from groundwater extraction and the importation of State Water Project water from the Sacramento-San Joaquin Delta. The Cachuma Reservoir is the primary source of water to the southern coastal area of Santa Barbara County known as the South Coast area. The Cachuma Reservoir supplies about 45% of the total demand of that area.

The Santa Ynez River Water Conservation District was formed in 1939 and protects water rights and supplies within the Santa Ynez River watershed, manages releases of water from Bradbury Dam to replenish downstream basins along the River and on the Lompoc Plain, and provides water management throughout the area. The district maintains annual engineering and survey report on water supply conditions in the watershed.

8. Wastewater Treatment:

Figure 5 illustrates the location of municipal wastewater treatment plants within the Santa Ynez River basin.

Figure 5. Map showing location of NPDES-permitted wastewater treatment plants in the Santa Ynez River basin.



9. Flood Control/Drainage:

According to Santa Barbara County Flood Control & Water Conservation District (district), significant flooding is generally not a concern in the Santa Ynez River until seasonal rainfall exceeds 15 inches in the upper watershed and Cachuma Lake is full. The district was established to provide flood protection and to conserve storm, flood and surface waters for beneficial public use. Major programs involve channel maintenance, design and construction of capital improvements, review of new development, and operation of a hydrological data collection/flood warning system. County Flood Control is divided into ten active flood control zones including most of the County's unincorporated area and the seven cities in the County.

10. Transportation/Traffic:

The majority of the roads in the lower Santa Ynez River basin are paved and maintained roads. Large access roads to the area which cross the mainstem of the Santa Ynez River include, Highways 1, 246, 101 and 154. Most of the paved road access is to areas in the lower River basin. The upper River basin, which lies largely within Los Padres National

Forest, has limited paved road access. Highway 154 provides access to Paradise Road, which runs along the Santa Ynez River for approximately 10 miles; this makes up the majority of the paved road access to the upper River. The only other paved road access available is on Happy Canyon Road, which allows access to the upper reaches of Cachuma Creek. The roads in the upper portion of the watershed are almost all four-wheel drive roads with varying degrees of accessibility and maintenance. Many of these roads are closed during rain events, making access to large portions of the upper watershed impossible. There are also additional road closures caused by the presence of threatened and endangered species.

H. DESCRIPTION OF TMDL ALTERNATIVES

CEQA environmental analysis of the TMDL Project includes an analysis of potentially feasible alternatives that encompass actions within the jurisdiction of the Central Coast Water Board and implementing parties. During development of the TMDL Project, Central Coast Water Board staff considered alternatives that are described below. The program alternatives considered are a.) no action alternative, b.) mass-load based TMDL alternative, and c.) TMDLs for nitrogen compounds.

a. No Action Alternative

The no action alternative compares the impacts of approving a proposed alternative and its components compared with the impacts of not approving a proposed alternative. Under the no action alternative, existing programs would be relied upon to address water quality impairments, but the Central Coast Water Board would not require standard TMDL Project components such as targets, TMDLs, allocations, implementation plans, time schedules, or monitoring. Existing efforts would continue to implement management practices and monitor water quality under existing programs, and it is likely that water quality would continue to improve. However, the efforts would not be directed towards the specific water quality impairments identified in the TMDL Project and progress towards meeting TMDL Project goals would not be monitored. This could leave designated beneficial uses of surface waters unprotected or unrestored for a longer period.

It is important to recognize that the no action alternative is not consistent with federal law. The federal Clean Water Act requires states to establish lists of impaired waters and develop TMDLs (or alternative plans or actions) to restore those waters. Therefore, the failure to adopt and implement TMDLs for nutrient compounds would be incompatible with statutory requirements.

b. Mass-Load based TMDL Alternative

The proposed TMDL relies on a concentration-based (i.e., allowable milligrams of pollutant per liter of water) water quality load approach. A mass-load based TMDL alternative would achieve the TMDL by distributing or “allocating” amongst the implementing parties a total maximum mass-load based daily load (e.g. pounds per day or kilograms per day of nitrogen compounds and orthophosphate) that the receiving waters could receive and still meet water quality standards. This approach would require first the determination of the amount of nutrients that the impaired surface waters could assimilate and still achieve the water quality standard. Then the TMDL would allocate that mass of nutrients between the

dischargers, assigning a waste load allocation to point sources and a load allocation to nonpoint sources and natural background sources. To accomplish this, long-term reliable measurements or predictions of daily stream flow need to be available throughout the year.

There is substantial uncertainty associated with mass-load based load expressions that could be developed for streams of the Santa Ynez River basin. The mass-load based loads, in many cases, would have to be based on limited amounts of instantaneous flow data, or National Hydrography Dataset Plus modeled flow data, and would thus reflect coarser temporal load representations, and not reliable daily load estimates. In the absence of reliable continuous, or daily, flow data (i.e., USGS gages or robust hydrologic modeling), there could be a high degree of error associated with estimated daily flows. According to USEPA (USEPA, 2007), the potential for error is particularly pronounced in arid areas, with few U.S. Geological Survey stream gages, and areas where flows are highly modified by human activities (e.g., impoundments, regulated flows, and irrigation return flows). Therefore, as noted previously, the proposed TMDLs and associated waste load and load allocations are based on instantaneous concentration-based loads – this satisfies USEPA guidance to incorporate a daily time-step load. In addition, concentration is generally a more direct linkage to the protection of aquatic habitat, than annual or seasonal mass loads.

Staff evaluated a mass-load based approach during development of the TMDL and determined that it would not be effective in implementing the TMDL goals due to the hydrology of the watersheds in the Santa Ynez River basin, and due to the lack of reliable daily flow data in most stream reaches. Many of the impaired streams in the River basin do not have natural perennial flows and are frequently dominated by irrigation return flows or are modified by other types of human land use activities. There is only a limited amount of daily stream flow gage data from U.S. Geological Survey stream gages, and existing instantaneous stream flow measurements are typically only collected on a once-per-month basis – at best – at some stream water quality monitoring sites.

Staff concludes that, at this time, there would be substantial and unacceptable uncertainty in developing mass-load based TMDLs or attaining water quality standards via mass-load based TMDLs. Because of this significant uncertainty, concentration-based TMDLs are more appropriate.

c. TMDLs for Nitrogen Compounds Alternative

This alternative is based on the TMDL for Nitrogen Compounds in Streams of the Santa Ynez River Basin. This is the alternative presented and proposed for Central Coast Water Board consideration. The TMDL Report (attachment 2 to the Staff Report) provides a summary of nitrogen stream impairments in the Santa Ynez River basin and the federal Clean Water Act requirements to address the impairments. The TMDL Project develops numeric targets for nitrogen compounds. Point and nonpoint sources of pollutants are also identified and assigned waste load allocations and load allocations, respectively, to meet the water quality objectives.

The following TMDLs are included in the preferred alternative:

- Concentration-based TMDL for nitrate
- Concentration-based TMDL for un-ionized ammonia
- Concentration-based TMDL for total nitrogen

The TMDL Report (attachment 2 to the Staff Report) also describes existing and proposed implementation and monitoring programs to address impairments resulting from nutrients.

Staff concludes that adoption of the proposed TMDL Project is both necessary and a long-term benefit to the environment and to water quality. Currently, the Basin Plan does not include a comprehensive implementation program designed to protect and restore the beneficial uses of surface waterbodies in the TMDL Project area, nor does the Basin Plan contain numeric water quality metrics to assess the impacts of total nitrogen pollution on aquatic habitat. The proposed TMDL Project provides the framework for this comprehensive program.

d. Recommended Program Alternative

Staff concludes that the preferred alternative and most environmentally feasible option is adoption of *Total Maximum Daily Loads for Nitrogen Compounds in the Santa Ynez River Basin* as described in the TMDL Report. Staff concludes that adoption of the proposed TMDLs and Implementation Plan is both necessary and beneficial. Currently the Basin Plan does not include a comprehensive implementation program designed to protect and restore the beneficial uses of surface waterbodies in the TMDL Project area.

The Staff Report, the draft Basin Plan amendment, and the Environmental Checklist and associated analysis provide the necessary information pursuant to state law to conclude that the proposed TMDLs, Implementation Plan, and the associated reasonably foreseeable methods of compliance will not have a significant adverse effect on the environment. Staff made this determination based on best available information in an effort to fully inform the interested public and the decision makers of potential environmental impacts.

I. REASONABLY FORESEEABLE METHODS OF COMPLIANCE

TMDLs established through a Basin Plan amendment are not self-implementing and need to be implemented through permits, orders, and other regulatory measures. The following information describes how a permittee would implement their TMDL allocations through compliance with permit conditions.

Owners and operators of irrigated agricultural land (growers) must comply with the General Waste Discharge Requirements for Discharges from Irrigated Lands (Order No. R3-2021-0040; the "Agricultural Order"), its successor, or individual orders regulating the discharge of waste from irrigated agricultural lands. The Agricultural Order requires growers to implement nutrient management practices to protect water quality. Under the Agricultural Order, growers must report practices they implement in an annual compliance form that is submitted to the Central Coast Water Board.

Small municipal separate storm sewer systems (MS4s) must comply with the statewide general permit governing their discharges (State Water Board Order No. 2013-0001-DWQ) its successor, or an individual permit, and are required to implement controls to reduce discharges of pollutants and to achieve waste load allocations established in TMDLs. Wastewater treatment plants discharging under a National Pollutant Discharge Elimination System (NPDES) permit are required to comply with their respected NPDES permits, or their renewals or replacements. The following information outlines some generally accepted types of reasonably foreseeable management measures that implementing parties might consider.

The State Water Resource Control Board (SWRCB), California Coastal Commission and other State agencies have identified management measures to address agricultural sources of nutrient pollution that affect state waters. These are provided here as examples of management measures that can be employed to reduce nutrient pollution from nonpoint sources and from urban areas. These management measures are not provided here as examples of current or anticipated requirements, nor are they an exhaustive list of all possible, effective management measures. Staff utilized the SWRCB's Nonpoint Source (NPS) Encyclopedia for information and guidance on these foreseeable methods of compliance that reasonably could be implemented to with the Santa Ynez River basin nutrient TMDLs. The NPS Encyclopedia is an on-line reference guide designed to facilitate a basic understanding of NPS pollution control and to provide quick access to essential information from a variety of sources by providing direct hyperlinks to resources available on the World Wide Web.¹ Information provided below is reproduced from the NPS Encyclopedia. The NPS Encyclopedia use the same designations for land use category and management practices which are similar to those identified in the SWRCB's Plan for California's NPS Control Program, to meet load allocations and achieve the TMDLs. One of the requirements in these orders is to implement practices to protect water quality. The following information outlines some generally accepted types of reasonably foreseeable management measures that implementing parties might consider.

1. Irrigated Agricultural Practices

Potential Compliance Measures for Nutrient Management Practices for Irrigated Agriculture

The purpose of this management practice is to reduce the nutrient loss from agricultural lands, which occurs through edge-of-field runoff or leaching from the root zone. The most effective way to manage nutrients is to develop a nutrient management plan in accordance with U.S. Department of Agriculture-Natural Resources Conservation Service. The goals of a nutrient management plan are to (1) apply nutrients at rates necessary to achieve realistic crop yields, (2) improve the timing of nutrient application, and (3) use agronomic crop production technology to increase nutrient use efficiency. Components of a nutrient management plan include the following:

¹ [Nonpoint Source Pollution \(NPS\) Control Program NPS Encyclopedia | California State Water Resources Control Board](#)

- Farm and field maps with identified and labeled: acreage and type of crops, soil surveys, location of any environmental sensitive areas including any nearby waterbodies and endangered species habitats.
- Realistic yield expectations for the crop(s) to be grown based primarily on the producer's yield history, State Land Grant University yield expectations for the soil series, or United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Soils-5 information for the soil series.
- A summary of the nutrient resources available to the producer, which (at a minimum) include (a) soil test results for pH, phosphorus, nitrogen, and potassium; (b) nutrient analysis of manure, sludge, mortality compost (birds, pigs, etc.), or effluent (if applicable); (c) nitrogen contribution to the soil from legumes grown in rotation (if applicable); and (d) other significant nutrient sources (e.g., irrigation water).
- An evaluation of the field limitations and development of appropriate buffer areas, based on environmental hazards or concerns such as (a) sinkholes, shallow soils over fractured bedrock, and soils with high leaching potential; (b) lands near or draining into surface water; (c) highly erodible soils; and (d) shallow aquifers.
- Use of the limiting nutrient concept to establish a mix of nutrient sources and requirements for the crop based on realistic yield expectations.
- Identification of timing and application methods for nutrients to (a) provide nutrients at rates necessary to achieve realistic yields, (b) reduce losses to the environment, and (c) avoid applications as much as possible to frozen soil and during periods of leaching or runoff.
- Provisions for the proper calibration and operation of nutrient application equipment; and
- Vegetated Treatment Systems

Potential Compliance Measures for Irrigation Water Management for Irrigated Agriculture

The purpose of this management measure is to reduce NPS pollution of surface and groundwaters caused by irrigation. Irrigation water should be applied in a manner that ensures efficient use and distribution of the water and minimizes runoff and soil erosion. Recommended practices include the following:

- Determining and controlling the rate, amount, and timing of irrigation water in a planned and efficient manner. This entails knowing the daily water use of the crop, the water-holding capacity of the soil, and the lower limit of soil moisture for each crop and soil. It is also important to measure the amount of water applied to the field.
- Controlling the manner and application of water to minimize water runoff and soil erosion. USDA NRCS-recommended irrigation systems include micro irrigation, sprinklers, surface and subsurface systems, and tailwater recovery systems.
- Designing irrigation water transport systems to eliminate as much water loss as possible.
- Lining irrigation channels to prevent seepage to ground water.
- Using a pipeline and apparatus to convey water to the irrigation system.

- Using a structure that controls the rate and timing of water conveyed to the irrigation system.
- Installing storage reservoirs to keep water for irrigation.
- Managing the drainage water from the irrigation system to control deep percolation, to move tailwater to the reuse system, and to control erosion and adverse impacts on surface and ground waters.
- Using filter strips to capture sediment and pollutants running off fields.
- Use grassed waterways to capture and trap sediment entering receiving waters.
- When irrigation water is conveyed down slopes that increase the velocity, causing erosion, install erosion controls, such as drops, chutes, buried pipelines, or erosion-resistant ditch linings.

2. Stormwater Management Practices

Municipal, construction, and industrial permittees are required to implement stormwater management practices to achieve TMDLs. The methods of compliance involve practices that reduce, slow, and/or collect stormwater runoff and improve the water quality of runoff. Methods of compliance include the following specific management practices:

- Bioretention
- Buffer strips
- Filter strips
- Vegetated swales
- Straw gaddles
- Rain gardens
- Green roofs
- Detention ponds
- Infiltration
- Low-impact development
- Vegetated treatment systems
- Media/Sand filtration
- Local infiltration systems
- Constructing managed wetlands
- Restoring wetlands
- Vegetating stream channels
- Restoring riparian areas

3. Wastewater Management Practices

Processes for biological nutrient removal (BNR) from municipal wastewater have been reported by USEPA. There are a number of BNR process configurations available. Some BNR systems are designed to remove only total nitrogen (TN) or total phosphorus (TP), while others remove both. The configuration most appropriate for any particular system depends on the target effluent quality, operator experience, influent quality, and existing treatment processes. BNR configurations vary based on the sequencing of environmental conditions (i.e., aerobic, anaerobic, and anoxic) and timing. Common BNR system configurations include:

- Modified Ludzack-Ettinger (MLE) Process – continuous-flow suspended-growth process with an initial anoxic stage followed by an aerobic stage; used to remove TN
- A/O Process – MLE process preceded by an initial anaerobic stage; used to remove both TN and TP
- Step Feed Process – alternating anoxic and aerobic stages; however, influent flow is split to several feed locations and the recycle sludge stream is sent to the beginning of the process; used to remove TN
- Bardenpho Process (Four-Stage) – continuous-flow suspended-growth process with alternating anoxic/aerobic/anoxic/aerobic stages; used to remove TN
- Modified Bardenpho Process – Bardenpho process with addition of an initial anaerobic zone; used to remove both TN and TP
- Sequencing Batch Reactor (SBR) Process – suspended-growth batch process sequenced to simulate the four-stage process; used to remove TN (TP removal is inconsistent)
- Modified University of Cape Town Process – A/O Process with a second anoxic stage where the internal nitrate recycle is returned; used to remove both TN and TP
- Rotating Biological Contactor (RBC) Process – continuous-flow process using RBCs with sequential anoxic/aerobic stages; used to remove TN
- Oxidation Ditch – continuous-flow process using looped channels to create time sequenced anoxic, aerobic, and anaerobic zones; used to remove both TN and TP.

Although the exact configurations of each system differ, BNR systems designed to remove TN must have an aerobic zone for nitrification and an anoxic zone for denitrification, and biological nitrogen removal systems designed to remove TP must have an anaerobic zone free of dissolved oxygen and nitrate. Often, sand or other media filtration is used as a polishing step to remove particulate matter when low TN and TP effluent concentrations are required. Sand filtration can also be combined with attached growth denitrification filters to further reduce soluble nitrates and effluent TN levels.

Choosing which system is most appropriate for a particular facility primarily depends on the target effluent concentrations, and whether the facility will be constructed as new or retrofit with BNR to achieve more stringent effluent limits. New plants have more flexibility and options when deciding which BNR configuration to implement because they are not constrained by existing treatment units and sludge handling procedures.

J. CEQA CHECKLIST

The CEQA Checklist is a series of questions grouped by subject that identify different types of potential environmental impacts that a project may cause. CEQA analysis considers what are the existing conditions of the physical project site (baseline conditions), and then compares how much change will occur to the site if the project is implemented. Based on the CEQA Guidelines, the impact severity is rated on a scale of four impact levels: potentially significant impact, less than significant with mitigation incorporated, less than significant impact, or no impact.

1. Aesthetics

The level of impacts to aesthetics are evaluated based on the following questions posed under impact description in the matrix below, except as provided in PRC section 21099, will the project:

No.

No.

3. Air Quality

The level of impacts to air quality are evaluated based on the following questions posed under impact description in the matrix below as to whether the project will:

No.

4. Biological Resources

The level of impacts to biological resources are evaluated based on the following questions posed under impact description in the matrix below as to whether the project will:

No.

No.

5. Cultural Resources

The level of impacts to cultural resources are evaluated based on the following questions posed under impact description in the matrix below as to whether the project will:

No.

7. Geology and Soils

The level of impacts to geology and soils are evaluated based on the following questions posed under impact description in the matrix below as to whether the project will:

No.

No.

No.

9. Hazards and Hazardous Materials

The level of impacts to hazards and hazardous materials are evaluated based on the following questions posed under impact description in the matrix below as to whether the project will:

No.

No.

10. Hydrology and Water Quality

The level of impacts to hydrology and water quality are evaluated based on the following questions posed under impact description in the matrix below as to whether the project will:

No.

No.

No.

12.Mineral Resource

The level of impacts to mineral resources are evaluated based on the following questions posed under impact description in the matrix below as to whether the project will:

No.

No.

maintain acceptable service ratios, response times, or other performance objectives for any of the following public services:

No.

No.

18. Tribal Cultural Resources

The level of impacts to tribal cultural resources are evaluated based on the following questions posed under impact description in the matrix below as to whether the project will cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

No.

19. Utilities and Service Systems

The level of impacts to utilities and service systems are evaluated based on the following questions posed under impact description in the matrix below as to whether the project will

No.

20. Wildfire

The level of impacts to wildfire are evaluated based on the following questions posed under impact description in the matrix below as to whether the project is located in or near state responsibility areas or lands classified as very high fire hazard severity zones will the project:

No.

21.Mandatory Findings of Significance

The level of impacts to mandatory findings of significance are evaluated based on the following questions posed under impact description in the matrix below as to whether the project will:

No.

K. ENVIRONMENTAL CHECKLIST DISCUSSION

The Substitute Environmental Document must include an analysis of the reasonably foreseeable environmental impacts of the methods of compliance/management practices, and the reasonably foreseeable mitigation measures relating to those impacts.

A significant effect on the environment is defined in regulation (CCR, title 14 (CEQA Guidelines), section 15382) as:

a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. A social or economic change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant.

Also noteworthy, CEQA Guidelines section 15064(b) states that:

The determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved, based to the extent possible on scientific and factual data. An ironclad definition of significant effect is not always possible because the significance of an activity may vary with the setting. For example, an activity which may not be significant in an urban area may be significant in a rural area.

The following includes Central Coast Water Board staff's environmental evaluation discussion on the basis of the CEQA Environmental Checklist presented previously in Section CEQA checklist J.

This section provides detailed discussions on the items listed in the environmental checklist above.

1. Aesthetics Discussion

Will the project:

- 1A. **Have any substantial adverse effect on a scenic vista?**
- 1B. **Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?**
- 1C. **Substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?**

- 1D. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?**

Impact: No impacts for all the above questions on impacts to aesthetics.

Discussion: None of the reasonably foreseeable management practices identified in this report are expected to have an adverse impact by creating a new source of substantial light or glare. In general, we expect that compliance with existing permits and orders will be sufficient to achieve waste load and load allocations without requiring any additional management measures beyond what is already required under existing regulation.

2. Agriculture and Forestry Resources Discussion.

Will the project:

- 2A. Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?**
- 2B. Conflict with existing zoning for agricultural use, or a Williamson Act contract?**
- 2C. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?**
- 2D. Result in the loss of forest land or conversion of forest land to non-forest use?**
- 2E. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?**

Impact: No impacts for all the above questions on impacts to agricultural and forestry resources.

Discussion: None of the reasonably foreseeable methods of compliance would be expected to cause changes in the environment, which would result in significant adverse impacts. In general, we expect that compliance with existing permits and orders will be sufficient to achieve load allocations without requiring any additional management measures beyond what is already required under existing regulation.

3. Air Quality Discussion

Will the project:

- 3A. **Conflict with or obstruct implementation of the applicable air quality plan?**
- 3B. **Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality?**

Impact: No impacts for either of the two above questions on impacts to air quality.

Discussion: None of the reasonably foreseeable management practices identified in Section I would be expected to result in any conflicts with or obstruction to the implementation of an applicable air quality plan. The implementation measures do not result in changes in traffic that could cause an increase in emission, therefore the TMDL Project is consistent with plans such as the Air Quality Management Plan. In general, we expect that compliance with existing permits and orders will be sufficient to achieve waste load and load allocations without requiring any additional management measures beyond what is already required under existing regulation.

- 3C. **Expose sensitive receptors to substantial pollutant concentrations?**

Impact: No impact.

Discussion: None of the reasonably foreseeable methods of compliance would be expected to expose sensitive receptors to substantial pollutant concentrations. In general, we expect that compliance with existing permits and orders will be sufficient to achieve load allocations without requiring any additional management measures beyond what is already required under existing regulation.

- 3D. **Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?**

Impact: No impact.

Discussion: Reasonably foreseeable management practices identified in this report should not generate odors affecting a substantial number of people. In general, we expect that compliance with existing permits and orders will be sufficient to achieve load allocations without requiring any additional management measures beyond what is already required under existing regulation.

4. Biological Resources Discussion

Will the project:

- 4A. **Have a substantial adverse effect, 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 California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?**

Impact: No impact.

Discussion: Reasonably foreseeable management practices identified in this report should not have a substantial adverse effect, 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 California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. In general, we expect that compliance with existing permits and orders will be sufficient to achieve load allocations without requiring any additional management measures beyond what is already required under existing regulation.

- 4B. **Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?**

Impact: No impact.

Discussion: Substantial adverse effects on any riparian habitat or other sensitive natural community are not anticipated. The management practices identified in Section I of this report promote the protection of riparian areas and are expected to be a net benefit to these sensitive communities. None of the reasonably foreseeable compliance methods would have the potential to adversely affect any riparian habitat or other sensitive natural community of plants identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. In general, we expect that compliance with existing permits and orders will be sufficient to achieve load allocations without requiring any additional management measures beyond what is already required under existing regulation.

- 4C. **Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?**

Impact: No impact.

Discussion: The management practices identified in this report are not anticipated to have a substantial adverse impact on state or federally protected wetlands. The compliance

methods identified would promote the protection of existing wetlands and the construction of new, engineered wetlands to protect water quality. The application of compliance measures in federally protected wetland areas would not be allowed if doing so would affect the beneficial uses associated with that wetland. Activities in federally protected wetlands require the responsible party to obtain a federal Clean Water Act 404 permit. The federal permit must include compliance measures that ensure that all water quality objectives for the wetland are protected. In general, we expect that compliance with existing permits and orders will be sufficient to achieve load allocations without requiring any additional management measures beyond what is already required under existing regulation.

4D. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Impact: No impact

Discussion: No impacts are anticipated to interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. Overall, the TMDL Project has long term benefits to sensitive species because many of the management practices are designed for riparian and wetland protection, restoration, and enhancement, which would enhance native resident populations and wildlife corridors. In general, we expect that compliance with existing permits and orders will be sufficient to achieve load allocations without requiring any additional management measures beyond what is already required under existing regulation.

4E. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Impact: No impact.

Discussion: None of the reasonably foreseeable non-structural or structural compliance methods identified in this report would be expected to conflict with ordinances protecting biological resources, such as a tree preservation policy or ordinance. In general, we expect that compliance with existing permits and orders will be sufficient to achieve load allocations without requiring any additional management measures beyond what is already required under existing regulation.

4F. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Impact: No impact.

Discussion: There are no anticipated impacts to HCPs or NCCPs. The watershed is located within a steelhead recovery planning area; however, the goals of the TMDL are consistent with steelhead recovery goals. In general, we expect that compliance with existing permits and orders will be sufficient to achieve load allocations without requiring any additional management measures beyond what is already required under existing regulation.

5. Cultural Resources Discussion

Will the project:

- 5A. Cause a substantial adverse change in the significance of a historical resource pursuant to section 15064.5?**

Impact: No impact.

Discussion: TMDL implementation is not expected to cause a substantial adverse change in the significance of historical resources in the project area as defined in CEQA regulations. Non-structural management practices do not involve land-disturbance or physical effects, which could impact historical resources. In general, we expect that compliance with existing permits and orders will be sufficient to achieve load allocations without requiring any additional management measures beyond what is already required under existing regulation.

- 5B. Cause a substantial adverse change in the significance of an archaeological resource pursuant to section 15064.5?**

Impact: No impact.

Discussion: TMDL implementation is not expected to cause a substantial adverse change in the significance of archeological resources in the project area as defined in CEQA regulations. In general, we expect that compliance with existing permits and orders will be sufficient to achieve load allocations without requiring any additional management measures beyond what is already required under existing regulation.

- 5C. Disturb any human remains, including those interred outside of dedicated cemeteries?**

Impact: No impact.

Discussion: Staff concludes that management practices identified in this report are not expected to disturb any human remains, including those interred outside of formal cemeteries. In general, we expect that compliance with existing permits and orders will be sufficient to achieve load allocations without requiring any additional management measures beyond what is already required under existing regulation.

6. Energy Resources Discussion

Will the project:

- 6A. **Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?**

Impact: No impact.

Discussion: Staff concludes that management practices identified in this report are not expected to result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation. In general, we expect that compliance with existing permits and orders will be sufficient to achieve load allocations without requiring any additional management measures beyond what is already required under existing regulation.

- 6B. **Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?**

Impact: No impact.

Discussion: Staff concludes that management practices identified in this report are not expected to conflict with or obstruct a state or local plan for renewable energy or energy efficiency. In general, we expect that compliance with existing permits and orders will be sufficient to achieve load allocations without requiring any additional management measures beyond what is already required under existing regulation.

7. Geology and Soils Discussion

Will the project:

- 7A. **Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving rupture of known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map, issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.**
- 7B. **Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving strong seismic ground shaking?**
- 7C. **Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving seismic-related ground failure, including liquefaction?**

7D. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving landslides?

Impact: Answer to all the above questions having to do with Geology and Soils: No impact.

Discussion: Staff concludes that management practices identified in this report will not expose people or structures to seismic or other geologic hazards. In general, we expect that compliance with existing permits and orders will be sufficient to achieve load allocations without requiring any additional management measures beyond what is already required under existing regulation.

7E. Result in substantial soil erosion or the loss of topsoil?

Impact: No impact.

Discussion: Staff concludes that management practices identified in this report will not expose people or structures to seismic or other geologic hazards. In general, we expect that compliance with existing permits and orders will be sufficient to achieve load allocations without requiring any additional management measures beyond what is already required under existing regulation.

7F. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

Impact: No impact.

Discussion: The management practices identified in Section 0 of this report, landslides, subsidence, liquefaction, or collapse. Staff concludes that management practices identified in this report do not occur at such a scale as to cause a substantial, or potentially substantial risk to soil instability. In general, we expect that compliance with existing permits and orders will be sufficient to achieve load allocations without requiring any additional management measures beyond what is already required under existing regulation.

7G. Be located on expansive soil, as defined in Table 18.1B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

Impact: No impact.

Discussion: Implementation of this TMDL project should not result in building new structures intended for human occupancy.

- 7H. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?**

Impact: No impact.

Discussion: The implementation of this TMDL project will not increase development or housing that would need septic tanks or other waste-water disposal systems.

- 7I. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?**

Impact: No impact.

Discussion: Direct or indirect destruction of a unique paleontological resource or site or unique geologic feature is not expected to result from the implementation of management practices identified in this report. In general, we expect that compliance with existing permits and orders will be sufficient to achieve load allocations without requiring any additional management measures beyond what is already required under existing regulation.

8. Greenhouse Gas Emissions Discussion

Will the project:

- 8A. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?**

Impact: Less than significant impact.

Discussion: Substantial, or potentially substantial, adverse changes to the environment due to generation of greenhouse gas emissions are not expected to result from the TMDL Project. Some construction activities could result in the use of equipment which will have small, temporary inputs of greenhouse gasses to the atmosphere. In general, we expect that compliance with existing permits and orders will be sufficient to achieve waste load and load allocations without requiring any additional management measures beyond what is already required under existing regulation.

- 8B. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?**

Impact: No impact.

Discussion: The management practices identified in this report do not conflict with implementation of statewide plans to reduce the greenhouse gases that cause climate change (ARB, 2017). In general, we expect that compliance with existing permits and

orders will be sufficient to achieve load allocations without requiring any additional management measures beyond what is already required under existing regulation.

9. Hazards and Hazardous Materials Discussion

Will the project:

- 9A. **Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?**
- 9B. **Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?**
- 9C. **Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?**
- 9D. **Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?**
- 9E. **For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?**
- 9F. **Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**
- 9G. **Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?**

Impact: Answer to all the above questions having to do with Hazards and Hazardous Materials: No impact.

Discussion: Staff determined that there are no management practices identified in Section I of this report that would be expected to use or produce hazardous waste, or that would generate hazardous conditions. Therefore, staff determined there would be no impact in terms of Hazards and Hazardous Materials.

10. Hydrology and Water Quality Discussion

Will the project:

10A. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Impact: No impact.

Discussion: Implementation of this TMDL project should address nitrogen compound impairments and result in overall water quality improvement. Therefore there is no adverse impact to water quality standards or waste discharge requirements.

10B. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

Impact: No impact

Discussion: Implementation of the TMDL project should not result in an increase in groundwater pumping or interfere with recharge. In general, we expect that compliance with existing permits and orders will be sufficient to achieve load allocations without requiring any additional management measures beyond what is already required under existing regulation.

10C. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in a substantial erosion or siltation on or off site?

10D. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site?

10E. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

Impact: Answers to the three above questions on impacts to hydrology and water quality are no impact.

Discussion: Reasonably foreseeable structural methods of compliance identified in this report such as low impact development reduce impervious surfaces and encourage infiltration of runoff to reduce impacts to streams. Potential practices would not result in increased stormflows and flooding or additional sources of polluted runoff. In general, we

expect that compliance with existing permits and orders will be sufficient to achieve load allocations without requiring any additional management measures beyond what is already required under existing regulation.

- 10F. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would impede or redirect flood flows?**

Impact: No impact.

Discussion: Implementation of the management practices identified in this report should not potentially increase the risk of flooding. In general, we expect that compliance with existing permits and orders will be sufficient to achieve load allocations without requiring any additional management measures beyond what is already required under existing regulation.

- 10G. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?**

Impact: No impact.

Discussion: Implementation of this TMDL project would cause inundation by seiche, tsunami, or mudflow.

- 10H. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?**

Impact: No impact.

Discussion: None of the management practices identified in this report would conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management. The potential management practices are designed to improve water quality and address water quality impairment. In addition, we expect that compliance with existing permits and orders will be sufficient to achieve load allocations without requiring any additional management measures beyond what is already required under existing regulation.

11.Land Use and Planning Discussion

Will the project:

- 11A. Physically divide an established community?**

Impact: No impact.

Discussion: Implementation of this TMDL project would not constitute the risk of a substantial, or potentially substantial, adverse change that would divide a community. In general, we expect that compliance with existing permits and orders will be sufficient to achieve load allocations without requiring any additional management measures beyond what is already required under existing regulation.

11B. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Impact: No impact.

Discussion: There are no anticipated impacts to habitat conservation plans (HCPs) or natural community conservation plan (NCCPs) due to TMDL implementation. In general, we expect that compliance with existing permits and orders will be sufficient to achieve load allocations without requiring any additional management measures beyond what is already required under existing regulation.

12.Mineral Resources Discussion

Will the project:

12A. Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state?

Impact: No impact.

Discussion: None of the management practices identified in this report would result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. In general, we expect that compliance with existing permits and orders will be sufficient to achieve load allocations without requiring any additional management measures beyond what is already required under existing regulation.

12B. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

Impact: No Impact.

Discussion: None of the management practices identified in this report would result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan. In general, we expect that compliance with existing permits and orders will be sufficient to achieve load allocations without requiring any additional management measures beyond what is already required under existing regulation.

13.Noise Discussion

Will the project:

- 13A. **Generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?**

Impact: No impact

Discussion: The Monterey County general plan specifies compliance with land use compatibility noise exposure standards to assure a compatible noise level for various land uses. Thus, the foreseeable structural compliance methods identified in this report would be expected to conform to land use compatibility noise standards established in the local general plan or noise ordinance, or applicable standards of other agencies. In general, we expect that compliance with existing permits and orders will be sufficient to achieve load allocations without requiring any additional management measures beyond what is already required under existing regulation.

- 13B. **Generate excessive groundborne vibration or groundborne noise levels?**

Impact: No impact.

Discussion: Implementation of this TMDL project would not be expected to generate significant excessive groundborne vibration or groundborne noise levels. In general, we expect that compliance with existing permits and orders will be sufficient to achieve load allocations without requiring any additional management measures beyond what is already required under existing regulation.

- 13C. **For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?**

Impact: No impact.

Discussion: Implementation of this TMDL project would not be expected to expose people residing or working in the project area to excessive noise levels. In general, we expect that compliance with existing permits and orders will be sufficient to achieve load allocations without requiring any additional management measures beyond what is already required under existing regulation.

14. Population and Housing Discussion

Will the project:

- 14A. **Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?**

Impact: No impact.

Discussion: None of the management practices identified in this report would induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure). In general, we expect that compliance with existing permits and orders will be sufficient to achieve load allocations without requiring any additional management measures beyond what is already required under existing regulation.

- 14B. **Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?**

Impact: No impact.

Discussion: Implementation of this TMDL project would not displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere. In general, we expect that compliance with existing permits and orders will be sufficient to achieve load allocations without requiring any additional management measures beyond what is already required under existing regulation.

15. Public Services Discussion

Will the project create impacts to:

- 15A. **Fire protection?**
- 15B. **Police protection?**
- 15C. **Schools?**
- 15D. **Parks?**
- 15E. **Other public facilities?**

Impact: Answer to all the questions to do with public services is no impact.

Discussion: Implementation of this TMDL project would not displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere. In general, we expect that compliance with existing permits and orders will be sufficient to achieve load allocations without requiring any additional management measures beyond what is already required under existing regulation.

16.Recreation Discussion

Will the project:

- 16A. **Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?**

Impact: No impact.

Discussion: None of the management practices identified in this report would increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. In general, we expect that compliance with existing permits and orders will be sufficient to achieve load allocations without requiring any additional management measures beyond what is already required under existing regulation.

- 16B. **Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?**

Impact: No impact.

Discussion: None of the management practices identified in this report would increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. In general, we expect that compliance with existing permits and orders will be sufficient to achieve load allocations without requiring any additional management measures beyond what is already required under existing regulation.

17.Transportation Discussion

Will the project:

- 17A. **Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?**

Impact: No impact.

Discussion: None of the management practices identified in this report would increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. In general, we expect that compliance with existing permits and orders will be sufficient to achieve

load allocations without requiring any additional management measures beyond what is already required under existing regulation.

17B. Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

Impact: No impact.

Discussion: None of the reasonably foreseeable compliance methods identified in this report increase the amount and distance automobiles or other vehicles travel.

17C. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Impact: No impact.

Discussion: None of the reasonably foreseeable compliance methods identified in this report contemplate the use of structural management practices that would substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses.

17D. Result in inadequate emergency access?

Impact: No impact.

Discussion: None of the reasonably foreseeable compliance methods identified in this report contemplate the use of structural management practices that would affect emergency access.

18. Tribal Cultural Resources Discussion

Will the project:

18A. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?

Impact: No impact.

Discussion: To our knowledge, none of the reasonably foreseeable compliance methods identified in Section I of this report contemplate the use of structural BMPs that would cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred

place, or object with cultural value to a California Native American tribe. In general, we expect that compliance with existing permits and orders will be sufficient to achieve load allocations without requiring any additional management measures beyond what is already required under existing regulation.

- 18B. **A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resource Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.**

Impact: No impact.

Discussion: TMDL implementation is not expected to result in substantial, or potentially substantial, adverse changes to the significance of tribal archeological resources as defined in public resources code. In general, we expect that compliance with existing permits and orders will be sufficient to achieve load allocations without requiring any additional management measures beyond what is already required under existing regulation.

19. Utilities and Service Systems Discussion

Will the project:

- 19A. **Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?**

Impact: Less than significant with mitigation.

Discussion: Implementation of management practices in the TMDL Project area could potentially result in wastewater treatment plants in the Santa Ynez River basin to construct new facilities or implement new measures to control or reduce nitrogen discharge in effluent. The construction of new facilities or implementation of new management practices could have potentially significant impacts on the environment. Staff do not expect these actions to result in significant adverse impacts when mitigation strategies are incorporated. When lead agencies review projects for the construction of new facilities, they should develop mitigation measure to offset potentially significant environmental impacts.

- 19B. **Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?**

Impact: No impact.

Discussion: None of the reasonably foreseeable compliance methods identified in this report would require new or expanded entitlements for water supplies. Instead, management practices increase infiltration of rainfall, which could reduce water use and recharge groundwater basins. In general, we expect that compliance with existing permits and orders will be sufficient to achieve load allocations without requiring any additional management measures beyond what is already required under existing regulation.

19C. Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Impact: Less than significant with mitigation.

Discussion: Implementation of management practices in the TMDL Project area could potentially result in wastewater treatment plants in the Santa Ynez River basin to need to expand existing treatment facilities to control or reduce nitrogen discharge in effluent. The construction of new facilities or implementation of new management practices could have potentially significant impacts on the environment. do not expect these actions to result in significant adverse impacts when mitigation strategies are incorporated. When lead agencies review projects, they should develop mitigation measure to offset potentially significant environmental impacts.

19D. Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Impact: No impact.

Discussion: None of the reasonably foreseeable compliance methods identified in this report should generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.

19E. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Impact: No impact.

Discussion: Reasonably foreseeable compliance methods identified in this report should generate little, if any, solid waste disposal nor would cause significant adverse effects with respect to compliance with federal, state, or local statutes related to solid waste disposal.

20. Wildfire Discussion

Will the project:

- 20A. Substantially impair an adopted emergency response plan or emergency evacuation plan?**

Impact: No impact.

Discussion: Reasonably foreseeable compliance methods identified in this report should not substantially impair an adopted emergency response plan or emergency evacuation plan.

- 20B. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?**

Impact: No impact.

Discussion: Reasonably foreseeable compliance methods identified in this report should not exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.

- 20C. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?**

Impact: No impact.

Discussion: Reasonably foreseeable compliance methods identified in this report should not require the installation or maintenance of associated infrastructure that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.

- 20D. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?**

Impact: No impact.

Discussion: Reasonably foreseeable compliance methods identified in this report should not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

21. Mandatory Findings of Significance Discussion

- 21A. **Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?**

Impact: No impact.

Discussion: Attaining the TMDLs will result in attainment of water quality standards and restoration of beneficial uses such as supporting aquatic and riparian habitats important to fish and wildlife. All the compliance measures identified in this environmental analysis are designed to improve water quality by maintaining or reducing nitrogen loading within impaired waters. Attainment of water quality standards and restoration of designated beneficial uses are expected to result in a net benefit for the quality of the environment.

- 21B. **Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)?**

Impact: Less than significant.

Discussion: Cumulative impacts, defined in section 15355 of the CEQA Guidelines, refer to two or more individual effects, that when considered together, are considerable or that compound or increase other environmental impacts. Cumulative impact assessment must consider not only the impacts of the proposed TMDL implementation plan, but also the impacts from other Basin Plan amendments and municipal and private projects that have occurred in the past, are presently occurring, or may occur in the future in the TMDL Project area during the period of implementation.

There are no current TMDLs established to address water quality impairments in the Santa Ynez River basin. There would be no cumulative effect of TMDL projects to adversely impact the environment of the River basin.

A range of management practices may be implemented to promote attainment of the proposed and existing TMDLs. However, because neither the proposed nor existing TMDLs specify the manner of achieving compliance, it is not possible to determine which dischargers will implement which management practices in which locations. In general, we expect that compliance with existing permits and orders will be sufficient to achieve load allocations without requiring any additional management measures beyond what is already required under existing regulation. Many of the potential management practices that may be implemented to attain the proposed TMDLs are already being implemented pursuant to other

programs and legal requirements (e.g., the Agricultural Order, MS4 Stormwater Permits, etc.). As a result, it is not reasonably foreseeable that the incremental impacts associated with the adoption of the proposed TMDLs would result in cumulatively considerable impacts when viewed in connection with the effects of past, present, and future projects. Therefore, potential cumulative impacts of the proposed TMDLs are speculative and less than significant.

21C. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Impact: No impact.

Discussion: The goal of the proposed TMDLs and associated actions are intended to improve long-term water quality by providing a program designed to protect and restore beneficial uses of surface waters in the TMDL Project area. The net result of these actions is anticipated to be improvements to surface and drinking water quality and improvements to aquatic habitat beneficial uses. Therefore, there should be no substantial adverse effects on human beings.

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