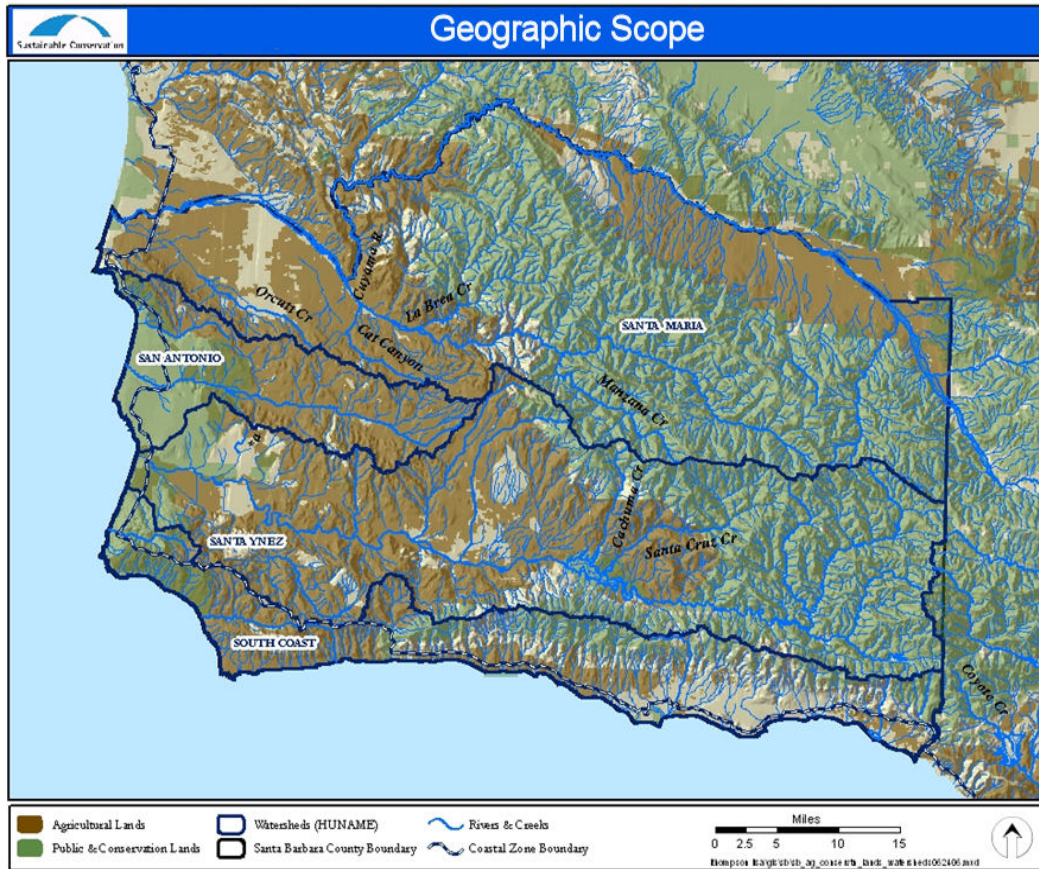




# Cachuma Resource Conservation District

## Final Mitigated Negative Declaration SCH# 2008101027

### Santa Barbara County Permit Coordination Program December 2008



## 1.0 PROJECT DESCRIPTION

### A. Project Purpose and Need

The purpose of the Santa Barbara County Permit Coordination Program (Project) is to provide an efficient permitting process for accomplishing needed restoration work on private land. The restoration projects are designed to improve critical water quality problems and enhance fish and wildlife habitat, including steelhead habitat connectivity, native riparian habitat, and habitat for California red-legged frogs, California tiger salamanders, and other aquatic species.

***Provide Incentives for Restoration on Private Land.*** While a growing number of farmers and ranchers in Santa Barbara County are interested in implementing small, environmentally beneficial projects on their lands, the time and complexity involved in obtaining multiple permits for each project often discourages them from moving forward with needed work. From the landowner's perspective, current agency review processes intended to protect natural resources often act as disincentives to voluntary practices that would reduce non-point source pollution and enhance habitat. Consequently, most farmers and landowners will continue with current land use practices if the challenges of obtaining governmental approvals exceed the perceived benefits. Thus, projects often are not attempted and landscapes continue to degrade or work may be performed with little or no regulatory oversight. The proposed Project addresses this problem by providing incentives for landowners to implement environmentally beneficial conservation practices and is expected to result in improved conditions to currently degraded areas.

***Improve Degraded Water Quality.*** Severe water quality problems within California's central coast region have led to identifying and listing watersheds as water quality impaired under Section 303(d) of the Clean Water Act. The Regional Water Quality Control Board (Regional Board) has listed over 300 total creek miles in Santa Barbara County and 384 acres as water quality impaired due to excessive sediment, pathogens, nutrients, pesticides and other non-point source pollution (Attachment 1). Excessive erosion and sediment is a major concern because it affects the viability of the ecosystem, stream hydraulics, wetlands, road systems, and the utility and economic viability of farm and ranch lands.

To address this problem, the Regional Board must develop limits or Total Maximum Daily Loads (TMDLs) for each pollutant that exceeds designated limits in a given watershed. Currently, the Regional Board is developing TMDLs for several pollutants in portions of the Santa Maria watershed (some areas shared with San Luis Obispo County), which are scheduled for completion in late 2008. All other TMDLs affecting Santa Barbara County waters are not scheduled to be completed until 2015-2019. In the meantime, the Regional Board is focusing efforts on helping farmers comply with the conditional Agricultural Waiver. The Agricultural Waiver (Ag Waiver) is designed to help growers proactively reduce nutrient, pesticide, and sediment inputs to waterways coming from irrigated farmland through a combination of education, monitoring, and conservation practices. The proposed Project will assist qualified growers to comply with conditions of the Ag Waiver by providing a permitting mechanism for installing needed water quality conservation practices within stream corridors and upland areas.

Significant pollutant load reductions will contribute to the restoration of water quality and beneficial uses throughout the County.

***Enhance Habitat for Fish and Wildlife.*** Fish and wildlife will benefit in a number of ways from installation of conservation practices under the Project. Conservation practices that improve water quality also enhance habitat for fish and wildlife, especially through the reduction of sediment, nutrients, and pesticides to waterways. Most of the conservation practices target excessive erosion and sediment inputs to streams. Some of the conservation practices will restore native riparian vegetation through implementation of grazing management plans, removal of exotic, invasive vegetation, or planting native vegetation at degraded sites. Other practices will create new habitat for targeted species. For example, 1) removing barriers to steelhead migration will restore access to spawning areas that may have been blocked for decades and which have greatly contributed to the threat of steelhead extinction in southern California; and 2) creating new ponds on rangeland and restoring existing ponds may expand breeding habitat for the endangered California tiger salamander and the threatened California red-legged frog, and other aquatic species.

## **B. Project Basics**

***Model Programs.*** The proposed Project has a proven track record in other coastal California counties that have developed and implemented similar Projects during the last 10 years. A pilot Project was developed by the USDA Natural Resources Conservation Service (NRCS) and Sustainable Conservation, a non-profit environmental organization, in 1998 in response to very high erosion rates in the Elkhorn Slough watershed in Monterey County and the detrimental effects on water quality and wildlife habitat. Ten conservation practices recommended by the U.S. Environmental Protection Agency and NRCS were conditioned and authorized in advance by federal, state, and local agencies through multiple watershed-based permits for the practices covered under the program. The results of the conservation projects implemented under the program have been dramatic. Between 1998 and 2003, 43 projects were completed. More than 60,000 tons of sediment have been prevented from entering the Elkhorn Slough, its tributaries and the Monterey Bay National Marine Sanctuary, and more than two miles of stream bank and channel have been restored or revegetated. In addition, the program has brought the NRCS into cooperation with many farmers who had not previously expressed interest in on-farm conservation. The results originally anticipated were met and exceeded – more conservation projects were completed, a broader range of projects was implemented, and projects were higher quality projects.

- More projects were completed. While the Project was expected to have broad appeal, twice as many farmers participated in the first year of the program than were originally projected for the initial five-year period. Farmers who normally would put off conservation work or refuse to become involved in stream enhancement projects decided to participate. They eagerly responded to the relative ease with which the Project allowed them to address erosion and degradation on their land.
- A broader range of projects was implemented. Some landowners previously had been reluctant to pursue the necessary permits for work in riparian areas on their own, directing most of their effort towards on-farm projects that have fewer regulatory requirements. With

the Project in place, these farmers initiated projects to reduce severe stream bank erosion and to enhance the natural functioning of riparian corridors and wetlands.

- The quality of projects improved. The conditions approved by the public agencies under the permits sometimes made the work more complicated to implement, but ultimately improved the quality of the projects. The farmers were willing to do the work to the “higher” standards in exchange for the simplified permitting process that allowed them to deal with their resource problems efficiently.

Following the success of the Elkhorn Slough Project, other Projects throughout coastal California have been established at the watershed level and county-wide level. These include the Morro Bay, Calleguas Creek, Navarro River, and Salinas River watersheds, as well as three county-wide programs in Alameda, Humboldt, and Santa Cruz Counties. The proposed county-wide Santa Barbara Project follows on the successes of these previously established programs. Descriptions of some of these programs and an overview of the Partners in Restoration Permit Coordination Program are available on Sustainable Conservation’s website at <http://www.suscon.org/pir/index.asp>.

**Overview.** The proposed Project for Santa Barbara County consists of 1) 18 NRCS Conservation Practices (Practices), 2) NRCS standardized planning tools, and 3) a suite of Environmental Protection Measures, all of which are integrated to establish the core Project Description (described in detail, below). After extensive collaboration with NRCS and the Cachuma Resource Conservation District (CRCD), regulatory agencies will condition and authorize in advance the Practices and issue multiple programmatic approvals to ~~NRCS and CRCD as co-sponsors of the Project.~~ the CRCD as project sponsor and/or to the NRCS for projects involving federal funding.

Each individual project will have an applicant who will be the landowner, the authorized agent for the landowner, or the authorized agent for an organization. When landowners seek assistance, NRCS and CRCD will work with them directly to develop a conservation plan that best addresses the resource concerns on that individual’s land. If individual projects meet all of the criteria established for the Project (*e.g.*, type of Practice, size limits, Protection Measures), the landowner or organization would be able to implement the work under the Project’s guidelines without the need to seek individual permits. NRCS and CRCD retain discretionary authority over which projects are implemented under the Project, assist with individual project planning and design, oversee monitoring for compliance with permit conditions and design standards, and report results for each project to the permitting agencies.

**Project Sponsors.** The CRCD is the local agency sponsor and lead agency for the Project’s compliance with the California Environmental Quality Act (CEQA). CRCD’s mission is to provide education, outreach, resource services, partnerships, and funding to the Santa Barbara County agricultural community and the region about natural resource conservation and agricultural issues. Since 1996, CRCD has administered government and private foundation grants for watershed-wide planning, erosion control, and restoration projects throughout the County.

Formerly the Soil Conservation Service, NRCS provides technical assistance and financial assistance in the form of cost-sharing to cooperators (private landowners working in partnership with NRCS) to develop conservation systems uniquely suited to their land and resource concerns. For purposes of this Project, NRCS will assist participants by providing technical advice and practice requirements that assist landowners to comply with permitting mandates for State and local agencies. NRCS will be the lead agency in meeting federal regulatory requirements when projects are implemented with federal funding. To help meet its mandate to protect natural resources by working with private landowners, NRCS sponsors important conservation incentive programs, including the Environmental Quality Incentives Program (EQIP), Wildlife Habitat Incentives Program (WHIP), and Conservation Reserve Program (CRP).

Together, NRCS and CRCDD form a unique, non-regulatory, Federal-State partnership with the expertise, funding and the relationships necessary to assist landowners to implement better land management practices.

***Agency Participants and Programmatic Approvals.*** In early 2006, NRCS and CRCDD began collaborating with regulatory agencies to develop the Project description; based on feedback received from these agencies at numerous meetings, NRCS and CRCDD carefully crafted the Project’s Practice descriptions and Protection Measures. Regulatory partners involved in the development and approval of this Project and the regulatory approval mechanisms anticipated from each agency are as follows:

<u>Participating Agencies and Approval Mechanisms</u>		
<u>Agency</u>	<u>Requirement</u>	<u>Approval Mechanism</u>
<u>National Marine Fisheries Service</u>	<u>ESA Section 7 consultation</u>	<u>Programmatic Biological Opinion (BO) for projects with NRCS funding</u>
	<u>ESA Section 10 consultation</u>	<u>Individual consultation for RCD funded projects</u>
<u>U.S. Fish and Wildlife Service</u>	<u>ESA Section 7 consultation</u>	<u>Programmatic BO for projects with NRCS funding</u>
	<u>ESA Section 10 consultation</u>	<u>Individual consultation for RCD funded projects</u>
<u>Central Coast Regional Water Quality Control Board</u>	<u>Compliance with Clean Water Act Section 401</u>	<u>Programmatic 401 Water Quality Certification</u>
<u>California Department of Fish and Game</u>	<u>Compliance with Fish and Game Code Section 1602 and CESA consultation</u>	<u>Programmatic Streambed Alteration Agreement; CESA consistency letter for FWS Section 7 consultations</u>
<u>California State Historic Preservation Office (SHPO)</u>	<u>National Historic Preservation Act compliance</u>	<u>SHPO certification letter for projects with NRCS funding; individual consultation with SHPO and approval letters for RCD-funded projects</u>

Some of the practices installed under the Project will also need a U.S. Army Corps of Engineers permit under Section 404 of the Clean Water Act. The Corps of Engineers, Los Angeles District (ACOE), did not participate in Project development; however, the Corps has participated in the development of similar efforts in San Luis Obispo and Ventura Counties (Morro Bay watershed and Calleguas Creek watershed, respectively), and supports the Project to be implemented in Santa Barbara County. Given the scope of the practices proposed for this Project, the ACOE believes that existing Nationwide Permits and Regional General Permits will be the appropriate permitting mechanisms for 404 compliance.

Some of the practices will also require a grading permit and other approvals from the County of Santa Barbara. Although NRCS and CRCD collaborated with County staff on Project parameters, ultimately the County was dropped as a participating agency due to disagreements over key aspects of the Project. Consequently, applicants whose projects require County permits will need to acquire those on a project-by-project basis. However, we have included many of the County's recommendations in the Project Description and are hopeful that the County will become a participant in the near future.

NRCS and CRCD propose that programmatic approvals be issued for five years, with at least one extension for an additional five years. Implementation of the first projects is expected to begin in the summer/fall work season of 2009.

***Geographic Scope.*** The Project would primarily serve the farming and ranching communities throughout Santa Barbara County. Implementation areas would potentially include all land in private ownership zoned for agriculture along waterways and adjacent uplands within the four major river basins (Santa Maria, Santa Ynez, San Antonio, and South Coast watersheds) and their associated tributaries. The proposed Project will **not include** projects in any of the following areas or habitats (landowners working with the NRCS/CRCD on projects in these particular areas or habitats would need to seek individual permits on a project-by-project basis):

- the Channel Islands
- Federal, State, and local public lands; most significantly: the U.S. Forest Service (Los Padres National Forest) and the Department of Defense (Vandenberg Air Force Base)
- estuaries/sloughs
- vernal pools
- dunes and coastal strand

***Eligible Participants.*** The Project will primarily serve agricultural landowners throughout the County; however, because of increasing interest and need to restore steelhead habitat connectivity, the Project will also be available to organizations wanting to do small scale barrier removal, stream crossing replacement, and other restoration projects that qualify (*i.e.*, that meet all Project guidelines), and for which appropriate contracts can be formalized with NRCS and CRCD, if needed. These restoration efforts have met with similar permitting obstacles as previously noted for private landowners. Due to the NRCS and CRCD mandates to serve the

agricultural community, priority will be given to agricultural landowners if all projects in a given year cannot be accommodated due to staffing constraints.


### C. The Conservation Practices

Eighteen (18) NRCS Conservation Practices are proposed for inclusion in the Project. The Practices, including engineering designs, are drawn from established NRCS Conservation Practice Standards developed over the last 65 years. These statewide standards are designed to address a broad range of resource conservation needs by providing a framework under which more detailed, locally developed practice specifications are utilized. The selected Practices are designed to control erosion and sedimentation; stabilize eroding stream banks; improve water quality; and increase aquatic, riparian, and upland habitat values. These practices are also recommended by the U.S. Environmental Protection Agency, the California State Water Resources Control Board, and the California Department of Fish and Game as appropriate resource management practices to help keep non-point sources of pollution from entering waterways and to protect and restore fish and wildlife habitat. Descriptions of the State Conservation Practice standards can be found online through the NRCS *Field Office Technical Guide, Section IV* ([www.ca.nrcs.usda.gov/technical/efotg](http://www.ca.nrcs.usda.gov/technical/efotg)).

The State practice standards and specifications referenced above are a starting point for how Practices will actually be implemented in Santa Barbara County. The Practices included in this Project (Table 1) have been further refined and restricted to include only those elements of each standard that were deemed appropriate by the resource agencies for use in the County. In addition, the Practice descriptions include the average size of installed practices and proposed maximum size limitations for each Practice. Individual projects that exceed the projected maximum limits would not qualify for the Project. In order to avoid the potential to “piecemeal” projects (dividing larger projects into sizes that fit within the project size maximums but which as a whole would not qualify), NRCS and CRCDD will continue their standard procedure to track the types of projects being implemented, as well as provide this information to the participating regulatory agencies as part of the notification and review requirements for each project (see Table 5, below). Landowners whose projects do not meet the size limitations, would need to seek individual permits for those projects. A separate table of proposed size limits is provided in Attachment 2.

It should also be noted in reviewing the Practice descriptions that usually a group of Practices is chosen to define a single complete project. For example, **stream bank protection** is usually followed by another Practice, **critical area planting**, used to stabilize the bank with native vegetation. These two Practices are integrated into one project. Another common scenario is to decrease erosion on steep slopes in orchards. In this case, adding erosion control features to an **access road** might be combined with a **diversion**, which would carry excess upland surface runoff to an **underground outlet**. These three Practices together would be one project.



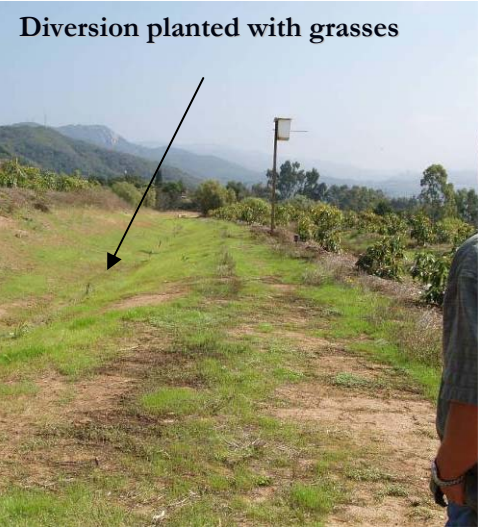
<b>Table 1. Proposed Conservation Practices for the Santa Barbara County Permit Coordination Program</b>	
Practice Name (FOTG #)	Practice Description, Additional Conditions, Size Limits of the Practice Installed, and Environmental Benefits
<p><i>Practices 1-9 primarily address excessive surface erosion from cultivated or grazed land, with the goal of preventing sediment and other pollutants from entering waterways. Many are installed in uplands.</i></p>	
<p><b>1. Access Road Improvements (560)</b></p>	<div style="text-align: center;">  </div> <p>Improvements to an existing access road used for moving livestock, produce, and/or equipment for proper property management while controlling runoff to prevent erosion and maintain or improve water quality.</p> <p>Access road improvements typically involve multiple installations spread out over a long reach of road.</p> <p>This practice involves minor re-grading of previously disturbed soil and might include outsloping or the addition of a rolling dip to a road so that water is less erosive as it travels across the road.</p> <p><u>Additional Conditions:</u></p> <ul style="list-style-type: none"> <li>• This practice is used only on existing access roads, with the following exception: an existing road may be relocated away from a natural watercourse in order to plant riparian vegetation as part of a stream corridor restoration plan; the preferred location of a new road is, in decreasing order of preference: 1) outside of a 100 foot setback; or 2) as far back as possible from the watercourse within the 100 foot setback. New roads outside or within a 100 foot setback will not be placed on slopes greater than 20%.</li> <li>• Access road improvements will be performed only on private roads that do not serve as the primary access to habitable structures, unless the private road is the only access to the farm/ranch.</li> <li>• This practice does not include addition of asphalt or concrete to existing roads.</li> <li>• <u>This practice does not include widening roads or increasing their weight-bearing capacity.</u></li> <li>• This practice does not include construction of all-weather roads, fire break roads, or logging roads.</li> <li>• Road improvements are modeled on the “<i>Handbook for Forest and Ranch Roads</i>:</li> </ul>



	<p><i>A Guide for planning, designing, constructing, reconstructing, maintaining and closing wildland roads,”</i> by Weaver and Hagens. This manual contains descriptions of methods and designs to improve and maintain rural roads to correct problems associated with poor road placement and excessive runoff and erosion.</p> <ul style="list-style-type: none"> <li>• Improvements carried out under this practice will not be done for the purpose of accommodating future development or as a precursor to intensification of land use.</li> <li>• <u>Size Limitations</u>  <u>Length:</u> <i>Ave:</i> 1 mile; <i>Max:</i> 4 miles  <u>Area:</u> <i>Ave:</i> 2 acres; <i>Max:</i> 6 acres  <u>Soil disturbance:</u> <i>Ave:</i> 1500 cy; <i>Max:</i> 3000 cy</li> </ul> <p><u>Environmental Benefits:</u></p> <ul style="list-style-type: none"> <li>• Improves water quality by decreasing sediment inputs to streams.</li> </ul>
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**2. Diversion (Upland Flow Interceptors) (362)**

**Diversion planted with grasses**



Construction of an earthen channel across a slope (much like a terrace) planted with grasses, from the approved plant list (Attachment 3), to slow and redirect excess surface flow.

This is an upland practice primarily performed on cultivated land as part of a resource management system to break up concentrations of water on long slopes, reduce damage from runoff, and divert water away from active gullies or critically eroding areas.

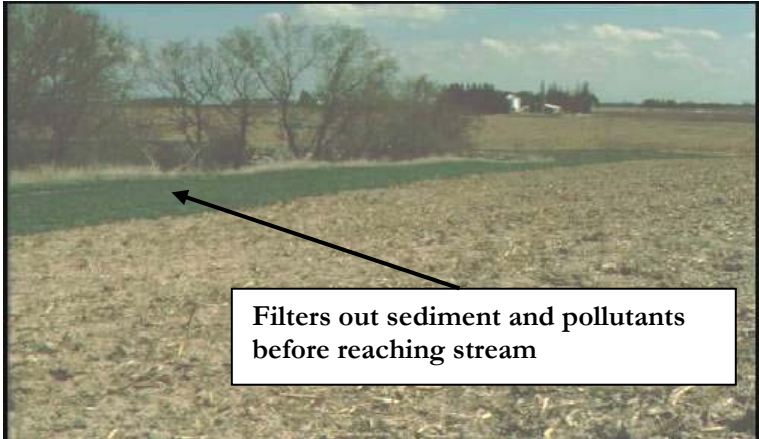
This practice is often used to deliver water to a sediment basin or a flat, vegetated area where flow velocities are slowed before discharging into a stream channel.

Additional Conditions:

- This practice **does not** involve the diversion of water from a waterway or redirection of flow to a different waterway.
- This practice **does not** result in a change in volume of flow or flow reduction to surface waters.
- Diversion of upland water **will not** prevent entry into a wetland or convert a wetland by changing the hydrology.
- Each diversion must have a safe and stable outlet that conveys runoff to a point

	<p>where outflow will not cause damage to a natural watercourse. Vegetative outlets or sediment basins, when required, will be installed and established prior to installation of a diversion.</p> <p><u>Size Limitations per property:</u></p> <ul style="list-style-type: none"> <li>• <u>Length (farmland):</u> <i>Ave:</i> 5000 ft; <i>Max:</i> 10,000 ft;  <u>Area (farmland):</u> <i>Ave:</i> 1.5 acres; <i>Max:</i> 2.5 acres  <u>Soil disturbance (farmland):</u> <i>Ave:</i> 1500 cy; <i>Max:</i> 3000 cy  <u>Width:</u> 10 ft; <u>Depth:</u> 2.5 ft</li> <li>• <u>Length (rangeland):</u> <i>Ave:</i> 1000 ft; <i>Max:</i> 2500 ft  <u>Area (rangeland):</u> <i>Ave:</i> 0.5 acre; <i>Max:</i> 1.25 acres  <u>Soil disturbance (rangeland):</u> <i>Ave:</i> 300 cy; <i>Max:</i> 750 cy  <u>Width:</u> 10 ft; <u>Depth:</u> 2.5 ft</li> </ul> <p><u>Environmental Benefits:</u></p> <ul style="list-style-type: none"> <li>• Reduces sediment and related pollutants delivered to surface waters</li> <li>• Helps prevent gully formation</li> </ul>
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**3. Filter Strip (393)**



**Filters out sediment and pollutants before reaching stream**

A strip of herbaceous vegetation planted between cropland, grazing land, or disturbed land and watercourses.


This practice applies when planned as part of a conservation management system and is used at the lower edges of fields to remove sediment, organic matter, and other pollutants from runoff prior to entering streams.

Filter strips are also used to provide permanent herbaceous vegetation to enhance habitat for wildlife and beneficial insects, and/or to maintain or enhance watershed function.

Additional Conditions:

- Filter strips may be installed within a 100 foot setback; however, existing riparian vegetation will not be removed in order to install a filter strip.
- Vegetation planted for a filter strip will be non-invasive species chosen from the approved plant list (Attachment 3).
- Filter strips may contain non-native plant species within a 100 foot setback only under the following conditions: 1) existing cultivated or range land is already within the setback or at the immediate edge of the setback; 2) the filter strip will be

	<p>installed outside the edge of existing riparian vegetation.</p> <p><u>Size Limitations:</u>  <u>Length:</u> <i>Ave:</i> 1 mile; <i>Max:</i> 2 miles  <u>Area:</u> <i>Ave:</i> 2 acres; <i>Max:</i> 3.5 acres  <u>Soil disturbance:</u> <i>Max:</i> Less than 50 cy</p> <p><u>Environmental Benefits:</u></p> <ul style="list-style-type: none"> <li>• Minimizes sediment and attached pollutants from entering waterways</li> <li>• Reduces erosion on the area on which they are installed</li> <li>• Enhances wildlife habitat</li> <li>• Provides habitat for beneficial insects</li> </ul>
<p><b>4. Grassed Waterway (412)</b></p>	<div data-bbox="599 592 1198 1071" data-label="Image"> </div> <p>A natural or constructed earthen channel or swale established with suitable vegetation for the stable movement of excessive runoff.</p> <p>This practice is used to convey runoff from diversions, terraces, or other concentrated water sources, to reduce gully erosion, reduce sediment delivered to receiving waters, and improve water quality downstream.</p> <p>Grassed waterways are usually installed on cultivated land and field ditches adjacent to cultivated land.</p> <p><u>Additional Conditions :</u></p> <ul style="list-style-type: none"> <li>• Grassed waterways <b>will not</b> divert water out of the natural sub-watershed.</li> <li>• Rarely, grassed waterways may be installed within a 100 foot setback, however, existing riparian vegetation, if present, will not be removed in order to install a grassed waterway.</li> <li>• Vegetation planted for a grassed waterway will be non-invasive species chosen from the approved plant list (Attachment 3).</li> <li>• Grassed waterways may contain non-native, non-invasive plant species within a 100 foot setback only under the following conditions: 1) existing cultivated or range land is already within the setback or at the immediate edge of the setback; 2) the grassed waterway will be installed outside the edge of existing riparian vegetation.</li> </ul> <p><u>Size Limitations:</u></p> <ul style="list-style-type: none"> <li>• <u>Length (farmland):</u> <i>Ave:</i> 2500 ft; <i>Max:</i> 4000 ft</li> <li>• <u>Area (farmland):</u> <i>Ave:</i> 2 acres; <i>Max:</i> 5 acres</li> </ul>

	<p><u>Soil disturbance (farmland):</u> <i>Ave:</i> 3200 cy; <i>Max:</i> 8000 cy <u>Width:</u> 30 ft; <u>Depth:</u> <i>Ave:</i> 1 ft; <i>Max:</i> 3 ft</p> <p><u>Length (in field ditches):</u> <i>Ave:</i> 2500 ft; <i>Max:</i> 1 mile <u>Area (in field ditches):</u> <i>Ave:</i> 0.5 acre; <i>Max:</i> 1.5 acres <u>Soil disturbance (in field ditches):</u> <i>Ave:</i> 800 cy; <i>Max:</i> 2400 cy <u>Width:</u> <i>Ave:</i> 8 ft; <i>Max:</i> 12 ft <u>Depth:</u> <i>Ave:</i> 1 foot; <i>Max:</i> 3 feet</p> <p><u>Environmental Benefits:</u></p> <ul style="list-style-type: none"><li>• Minimizes sediment and attached pollutants from entering waterways, riparian habitat, and/or wetlands.</li><li>• May be used as a connective feature to other habitat types such as riparian areas and wetlands.</li></ul>
<p><b>5. Irrigation System and Tailwater Recovery (447)</b></p>	 <p>A practice designed to capture excess irrigation water, provide temporary water storage, and redistribute water back to the system for reuse.</p> <p>This practice may be applied as part of a conservation management system to conserve irrigation water and improve offsite water quality.</p> <p><u>Additional Conditions:</u></p> <ul style="list-style-type: none"><li>• Nutrient management measures, pest management measures, and irrigation system management are an essential component of this practice, and will be planned and implemented to limit chemical-laden tailwater as much as practical.</li><li>• This practice may include pump house structures; when required, these will not exceed 120 ft<sup>2</sup>.</li><li>• Basins <u>and</u> <u>pumphouses</u> may be placed within a 100 foot setback, but only when the farmable or grazing area is already within a 100 foot setback; existing riparian vegetation will not be removed in order to install a tailwater recovery basin <u>or</u> <u>pumphouse</u>.</li><li>• All pump intakes will be screened.</li><li>• Storage basins will be sized to provide adequate retention time for the breakdown of chemicals contained in runoff.</li></ul>



	<ul style="list-style-type: none"> <li>Seepage of chemical-laden water from a storage facility will be controlled to the extent possible by using natural soil liners, commercial liners or other approved methods.</li> </ul> <p><u>Size Limitations:</u></p> <p><u>Length:</u> N/A  <u>Area of temporary storage basin:</u> <b>Max:</b> 0.5 acre  <u>Soil disturbance:</u> <b>Max:</b> 6500 cy</p> <p><u>Environmental Benefits:</u></p> <ul style="list-style-type: none"> <li>Conserves limited water supplies</li> <li>Improves downstream water quality by decreasing sediment and sediment-attached pollutants carried by runoff.</li> </ul>
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**6. Pipeline (516)**



**Pipeline trench**

**Alternative water source**

A pipeline is used for conveying water from a source of supply to points of use to shift livestock to constructed water sources away from streams.

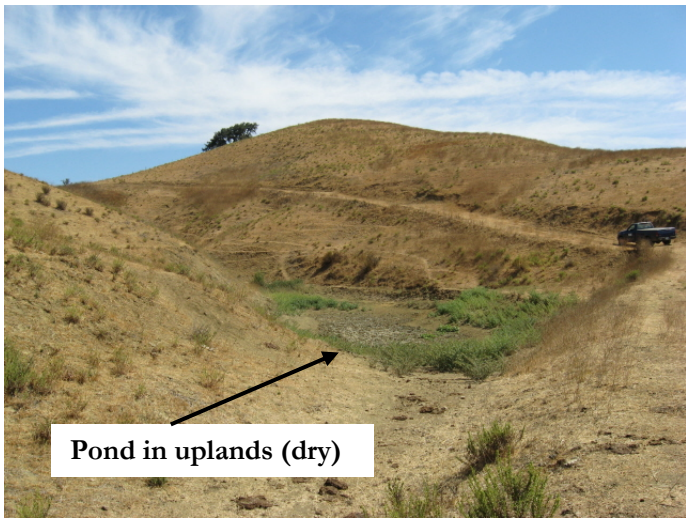
Generally, buried pipelines are installed in upland areas. Occasionally, a pipeline may cross a stream; when this is necessary, pipelines will be buried to an appropriate depth to maintain channel and bank stability, and will minimize impacts to riparian habitat. In areas where channels are deeply incised and the substrate does not allow burying pipe easily (boulder/cobble), pipelines may be suspended across a channel and attached to posts on the banks; posts will be placed to avoid impacts to riparian vegetation.

Additional Conditions:

- This practice will not provide water for human consumption, recreation, or construction activities.
- This practice will rely on an existing source of water supply.
- Drafting of creek surface water is not allowed; pumping of underground water must be from a well or wells within the maximum permitted rate under a landowner's valid water rights permit.
- If booster pumps are required, pumps will not be located within a 100 foot setback, except for pumps associated with existing wells; any new pump house will not be greater than 12 feet high and will be constructed of non-reflective material.
- If installed in a stream, this practice will not include installation of grouted rock,

	<p>headwalls or the like.</p> <p><u>Size Limitations:</u></p> <ul style="list-style-type: none"> <li>• <u>Length (on rangeland):</u> <i>Ave:</i> 2 miles; <i>Max:</i> 5 miles  <u>Area (on rangeland):</u> <i>Ave:</i> 0.5 acre; <i>Max:</i> 1 acre  <u>Soil disturbance (on rangeland):</u> <i>Ave:</i> 800 cy; <i>Max:</i> 2000 cy  <u>Width:</u> 4 ft; <u>Depth:</u> 1 ft; <u>Pipe Diameter:</u> <i>Max:</i> 2 inches</li> <li>• <u>Length (instream/riparian zone):</u> <i>Ave:</i> 100 ft; <i>Max:</i> 200 ft  <u>Area (instream/riparian zone):</u> <i>Ave:</i> 100 ft<sup>2</sup>; <i>Max:</i> 200 ft<sup>2</sup>  <u>Soil disturbance (instream/riparian zone):</u> <i>Ave:</i> 15 cy; <i>Max:</i> 30 cy  <u>Width:</u> 4 ft; <u>Depth:</u> 1 ft; <u>Pipe Diameter:</u> <i>Max:</i> 2 inches</li> </ul> <p><u>Environment Benefits:</u></p> <ul style="list-style-type: none"> <li>• Limits livestock access to riparian areas reducing bank erosion, sediment inputs, and deposit of animal waste directly into streams, and enhances riparian vegetation establishment and health.</li> </ul>
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**7. Ponds (378)**



A water impoundment made by constructing an embankment or by excavating a pit or dugout.

This practice will be used to install new ponds; new ponds serve as part of a grazing management system to provide alternative water sources for livestock away from sensitive riparian areas and to create habitat for targeted species such as California tiger salamanders, California red-legged frogs, and other protected/rare species.

Additional Conditions:

- New ponds will be installed offstream, on rangeland located in upland areas; water will be supplied only from rainwater or sheet flow (no groundwater pumping); and NRCS assumes liability for proper functioning of engineered embankments and follows the NRCS review and certification process.
- This practice will not provide water for irrigation, human consumption, recreation, or construction activities.
- If excavated material is spread on adjacent uplands it will not exceed 1 foot in

	<p>height.</p> <ul style="list-style-type: none"> <li>• Pond construction will require a landowner have a valid water rights permit. If a landowner does not have a valid water rights permit, this practice will not be allowed under the Project.</li> <li>• DFG and FWS will condition activities to avoid and minimize potential impacts to listed species; landowners assume responsibility for creating new habitat for listed species.</li> <li>• <u>Length</u>: <i>N/A</i>  <u>Area</u>: <i>Ave</i>: 0.25 acre; <i>Max</i>: 0.5 acre  <u>Soil disturbance</u>: <i>Ave</i>: 3000 cy; <i>Max</i>: 6000 cy</li> </ul> <p><u>Environmental Benefits</u>:</p> <ul style="list-style-type: none"> <li>• Having numerous ponds in a watershed can help recharge aquifers and result in springs and creeks flowing for longer periods during the year</li> <li>• Reduces soil erosion and sedimentation in riparian areas when used as part of a grazing management system</li> <li>• Improves riparian habitat quality and provides long-term riparian habitat protection</li> <li>• May create habitat for California tiger salamanders, California red-legged frogs, and other aquatic species</li> </ul>
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**8. Sediment Basin (350)**



A basin constructed to collect and store debris or sediment.

This practice applies where physical conditions or land ownership preclude treating the sediment source by installing erosion control measures to keep soil in place.

Sediment basins will trap sediment, sediment associated pollutants, and other debris and prevent undesirable deposition on bottomlands and in streams. Basins are generally located at the base of agricultural lands adjacent to a natural drainage.

Additional Conditions:

- Sediment basins **will not be constructed in a stream channel** or other permanent water body.
- Basins near watercourses shall be located at least 100 feet from the top of creek bank or the edge of riparian habitat, whichever is further, to the maximum extent



	<p><u>feasible.</u></p> <ul style="list-style-type: none"><li>• Basins may be placed within a 100 foot setback, but only when the farmable area or grazed area is already within a 100 foot setback; existing riparian vegetation will not be removed in order to install a sediment basin.</li><li>• Basins are usually partially below grade and embankments are planted with appropriate vegetation.</li><li>• Basins are designed to release water at a natural flow rate (often by installing an <i>Underground Outlet</i>, see below).</li><li>• When a basin outlets directly to a natural watercourse, appropriate energy dissipaters are installed to slow velocities and prevent scour. These structures will not include grouted rock, headwalls and the like installed below the ordinary high water mark.</li></ul> <p><u>Size Limitations:</u></p> <p><u>Length:</u> <i>N/A</i> <u>Area:</u> <i>Ave:</i> 0.3 acre; <i>Max:</i> 0.5 acre <u>Soil disturbance:</u> <i>Ave:</i> 3500 cy; <i>Max:</i> 6500 cy <u>Embankment Height:</u> <i>Ave:</i> 4 ft; <i>Max:</i> 8 ft</p> <p><u>Environmental Benefits:</u></p> <ul style="list-style-type: none"><li>• Prevents excessive sediment and sediment-attached pollutants from entering streams and wetlands</li></ul>
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**9. Underground Outlet (620)**



A conduit installed underground to collect excess surface water and carry it to a suitable outlet.

This practice applies where a system is needed to dispose of excess water generated by farmland on steep slopes without causing erosion or flooding.

Underground outlets are often installed as part of a water management system with upland diversions, terraces, or sediment basins to collect excess runoff and prevent erosive surface flow.

Additional Conditions:

- Underground Outlets may be used with Diversions, Grassed Waterways, and/or Sediment Basins to address surface erosion; see descriptions and maximum

	<p>dimensions associated with those practices.</p> <ul style="list-style-type: none"> <li>• <u>Where conditions allow, and to the maximum extent feasible, outlets shall not be constructed on or near creek banks or watercourses.</u></li> <li>• When a pipe outlets directly to a natural watercourse, appropriate energy dissipaters are installed to slow velocities and prevent scour These structures will not include grouted rock, headwalls and the like installed below the ordinary high water mark.</li> <li>• <u>Size Limitations:</u>  <u>Length: Ave:</u> 600 ft; <u>Max:</u> 1500 ft  <u>Area: Ave:</u> 0.1 acre; <u>Max:</u> 0.2 acre  <u>Soil disturbance: Ave:</u> 600 cy; <u>Max:</u> 1500 cy  <u>Width:</u> 5 ft; <u>Depth:</u> 5 ft.</li> </ul> <p><u>Environmental Benefits:</u></p> <ul style="list-style-type: none"> <li>• Essential part of a water management system to prevent or repair sheet and rill erosion and prevent excess water and sediment from entering waterways.</li> </ul>
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*Practices 10-18 primarily address excessive stream erosion and deposition, with the goal of maintaining or restoring natural stream corridor stability and enhancing native plant communities and fish and wildlife populations. These practices are usually installed in streams.*

**10. Channel Stabilization (584)**



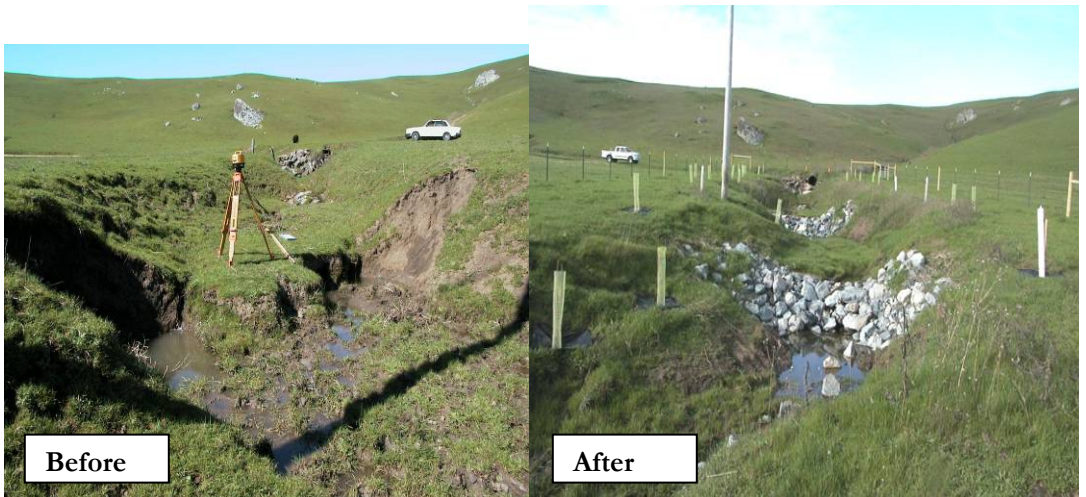
**Example above: One-time removal of sediment causing damage to banks**

This practice applies to stream channels undergoing damaging aggradation or degradation that cannot be reasonably controlled by upland Practices alone (establishment of vegetation, installation of bank protection, or installation of upstream water control devices).

Measures that may be used to stabilize the bed or bottom of a channel include installation of instream structures such as grade stabilization structures (see Grade Stabilization Structure practice) to control large gullies caused by headcutting, limited removal of sand or sediment that have caused the channel to become plugged due to a large storm event or bank failure; and channel reshaping as needed under the Stream Habitat Improvement and Management practice.

	<p><u>Additional Conditions:</u></p> <ul style="list-style-type: none"> <li>• Allowable structures include loose rock checks, rock buried at grade (keyways), timbers, and willow layering.</li> <li>• Concrete, grouted rock, and gabions are not allowed.</li> <li>• Planting native vegetation on the banks is incorporated with this practice.</li> <li>• Removal of accumulated sand or sediment that has caused the channel to become plugged will be permitted <b>one time only at any given location</b> when it is causing bank erosion or threatening infrastructure. <u>Routine maintenance involving dredging of a waterway is not permitted.</u></li> </ul> <p><u>Size Limitations:</u></p> <ul style="list-style-type: none"> <li>• <i>If channel stabilization is achieved with grade stabilization structures</i> – (see Grade Stabilization Structure practice for dimensions)</li> <li>• <i>If channel stabilization is achieved with sediment removal</i> –  <u>Length: Ave: 500-300 ft; Max: 1000-500</u>  <u>Area: Ave: 0.5-0.3 acre; Max: 0.7-0.5 acre</u>  <u>Soil disturbance: Ave: 1000-700 cy; Max: 1700-1000 cy</u></li> </ul> <p><u>Environmental Benefits:</u></p> <ul style="list-style-type: none"> <li>• Stabilizes stream channels/corridors resulting in improved water quality to downstream areas, including wetlands</li> <li>• May improve riparian habitat and associated wildlife habitat such as nesting sites and movement corridors</li> </ul>
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**11. Grade Stabilization Structure (410)**



**Gully repair using loose rock checks**

A structure used to control the grade and prevent or stop headcutting. This practice applies where the concentration and flow velocity of water require structures to stabilize the grade in channels or to control gully erosion. Special attention is given to maintaining or improving stream function and wildlife habitat.

Additional Conditions:

- This practice falls into Tier IV of the Environmental Protection Measures. See Table 4 for additional conditions.
- Structures installed above grade **will not be installed in steelhead streams.** Keyways (rock buried at grade) are allowed in steelhead streams.
- Structures installed above grade **will not be installed in the coastal zone.** Keyways (rock buried at grade) are allowed in the coastal zone.
- Structures will not impede wildlife movement.
- Structures will be installed only when other channel stabilization measures are not feasible.
- Structures may include loose rock checks, timbers, and willow layering. Concrete, grouted rock, and gabions are not allowed.
- This practice incorporates planting native vegetation on channel banks.

Size Limitations:

- Loose rock checks are the largest structures that will be installed (see dimensions, below); dimensions for wood or plant material would be smaller:

Length: *Ave:* 3 structures per 500 ft of channel or gully;

*Max:* 10 structures per 1000 ft of channel or gully

Area: *Ave:* 0.2 acre; *Max:* 0.3 acre

Soil disturbance: *Ave:* 900 cy (300 cy per structure\*)

*Max:* 3000 cy (300 cy per structure\*)

\* Grading dimensions are for actual structure (max 50 cy) and temporary work in channel (250 cy)

Drop height (from top of structure to downstream toe):

*Max:* 4 ft (for 3 structures in 500 ft of channel)

*Max:* 2 ft (for 10 structures in 1000 ft of channel)

Environmental Benefits:

- Structures, if required, are part of an integrated channel stabilization plan.
- Structures can stop headcutting, a process which left unchecked, will continue to erode stream channels and banks and deposit large amounts of sediment into the channel.
- Native vegetation provides habitat for fish and wildlife.



**12. Limited  
Vegetation  
Removal to  
Minimize Erosion  
(326)**



**Hand crews trimming vegetation to prevent further undermining of bridge**

This practice will be used to remove dead, uprooted vegetation from a channel which may accumulate in large amounts after a storm, plugging a channel or deflecting water towards banks or infrastructure; to remove fallen trees and other obstructions from a channel if these are causing detrimental bed or bank erosion; and to remove a limited amount of channel vegetation to prevent failure of a structure such as a culvert.

Additional Conditions:

- Hand tools will be used whenever possible to remove debris or perform selective trimming. Heavy equipment in a channel will only be used to remove large objects (e.g. cars, appliances, concrete) when access with a crane is not possible from the top of the bank; approval by DFG of use of heavy equipment in the channel shall be required on a project-specific basis.
- Trimming willows, if required, will be accomplished in a way that retains a shaded tunnel-like effect.
- Whenever possible, willows will be limbed up into single trunk trees to reduce channel obstruction.
- Removed willow and cottonwood cuttings will be used on-site for erosion protection and to interplant open areas to provide shade and cover.
- Habitat forming elements that provide cover, food, pools, and water turbulence, when present, will be retained when not causing bank or bed erosion, or replaced in a nearby stream location where they will not cause bed or bank erosion.

Size Limitations:

- Removing native or non-native vegetation to protect eroding bank or infrastructure:

Length: **Ave:** 50 ft; **Max:** 100 ft

Area: **Ave:** 500 ft<sup>2</sup> **Max:** 0.05 acre

Soil disturbance: **N/A (no grading required)**

	<p><u>Environmental Benefits:</u></p> <ul style="list-style-type: none"> <li>• Decreases sediment inputs from eroding stream banks</li> <li>• Helps prevent structural failure and maintain stream corridor stability</li> <li>• May enhance habitat for fish and wildlife, especially movement corridors</li> </ul>
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**13. Critical Area Planting (342)**



Just after planting to prevent bank erosion

**Establishing permanent vegetation on highly erodable areas.**

This practice is used to stabilize the soil, reduce damage from sediment and runoff to downstream areas, and improve wildlife habitat and visual resources.

Typically this practice is used after installation of other practices (*e.g.*, Stream Bank Protection) or to restore degraded sites such as gullies or deep rills or land disturbed by past oil development.

Additional Conditions:

- Native plants characteristic of the local habitat type will be used for this practice within the stream corridor, with the following exceptions: non-persistent, non-invasive grass species such as barley grass and others from the approved plant list (Attachment 3) may be used as nurse crops or for temporary erosion control benefits until natives are established. Non-native plants from the approved plant list may be installed in upland areas to repair degraded sites.
- When installing or maintaining this practice above the ordinary high water mark, a filter fabric fence, fiber rolls and/or rice or straw bales will be used, if needed, to keep sediment from flowing into the adjacent water body; when vegetation is sufficiently mature to provide erosion control, it may be appropriate to remove these structures.

Size Limitations:

- Stream bank – Length: *Ave:* 1500 ft; *Max:* 2500 ft  
Area: *Ave:* 0.5 acre; *Max:* 1 acre  
Soil disturbance: *N/A*  
 (Planting on stream banks is usually preceded by stabilizing the bank first; see Stream Bank Protection practice for soil disturbance limits)
- Upland gullies - Length: *N/A*  
Area: *Ave:* 3 acres; *Max:* 5 acres  
Soil disturbance: *Ave:* 3000 cy; *Max:* 6000 cy

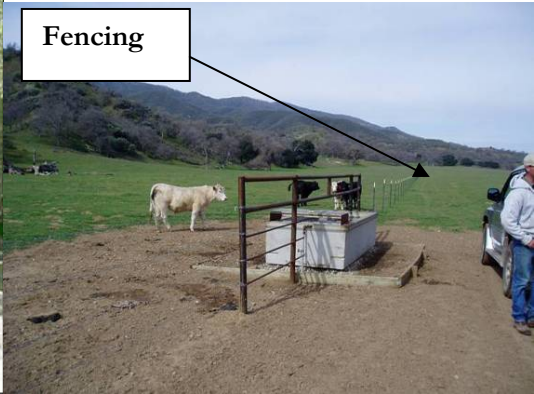
Environmental Benefits:

- The resulting vegetation cover is expected to reduce soil erosion and reduce soil nutrients and other pollutants from entering surface waters or leached into ground water.
- Established riparian vegetation will improve habitat for fish and wildlife.

**14. Restoration and Management of Declining Habitats (643)**



Arundo removal using hand crews



Fencing



Pond filled with sediment

Restoring and conserving rare or declining native plant communities and associated wildlife species.

This practice is used to restore land or aquatic habitats degraded by human activity; provide habitat for rare and declining wildlife species; and to manage unique or declining native habitats.

Specifically, this practice will be used to 1) remove invasive plant species; 2) install cross-fencing and stockwater systems as part of a grazing management system designed to protect riparian habitat; and 3) restore existing ponds.

Pond restoration primarily involves removing sediment and repairing spillways and embankments; occasionally this may include complete replacement of embankments. These activities do not include any increase in the original storage capacity of a pond or increases in other dimensions such as height of existing embankments. Without appropriate pond maintenance, ponds no longer serve their intended purposes, do not provide wildlife habitat and, when embankments eventually fail, large amounts of sediment are delivered to downstream receiving waters.



Additional Conditions:

- Removal of invasive plant species will be done by hand; any use of herbicides will follow approved manufacturer protocols and limitations by regulatory agencies (see Environmental Protection Measures, Table 3).
- Pond restoration will require a landowner have a valid water rights permit. If a landowner does not have a valid water rights permit, pond restoration will not be allowed under the Project.
- Landowners assume responsibility for creating new habitat for listed species.
- Sediment removal/maintenance will occur when the pond is dry or when stream flow is at its lowest level.
- A percentage of the native vegetated shoreline of the pond will be left intact, based on how much native habitat is currently present.
- Pond embankments will be vegetated with native plants appropriate to site conditions if in a stream; non-invasive plants from the approved plant list (Attachment 3) may be used in upland areas.
- During pond re-grading, a shallow bench/terrace around the pond will be left intact or installed if none exists.
- The minimum grade of finished slopes for ponds will be 2:1.

Size Limitations:

- Instream invasive plant removal –  
Length: *Ave:* 500 ft; *Max:* 2000 ft  
Area: *Ave:* 0.5 acre; *Max:* 2.5 acres  
Soil disturbance: *N/A*
- Cross fencing -- Length: *Ave:* 2 miles; *Max:* 5 miles  
Area: *N/A*  
Soil disturbance: *N/A*  
Top wire: not higher than 4 ft; Bottom wire: 15” from ground
- Pond restoration – Length: *N/A*  
Area: *Ave:* 1 acre; *Max:* 1.5 acre  
Soil disturbance: *Ave:* 10,000 cy; *Max:* 15,000 cy

Environmental benefits:

- Restores native plant communities and associated fish and wildlife
- Limits cattle access to riparian areas, reducing bank erosion, sediment inputs, and deposit of animal waste directly into streams; enhances riparian vegetation establishment and health
- May create or enhance essential habitat features (breeding ponds) for California red-legged frogs, California tiger salamanders, and other aquatic species.

**15. Stream Bank Protection (580)**

**Bank failure after storm**



**Road**



**Just after completion**



**After 3 years**

**Example of bank repair with rock on lower bank and vegetation incorporated**

Treatments used to stabilize and protect banks of streams. This practice is used to prevent excessive loss of land where stream banks are eroding, to reduce the offsite or downstream effects of sediment resulting from bank erosion, and to improve or enhance the stream corridor for fish and wildlife. All treatments are designed to consider the changes that may occur in the watershed hydrology and sedimentation over the design life of the treatments.

Additional Conditions:

- All bank protection projects are carefully analyzed for cause. Banks will be stabilized only if they are the source of excessive erosion and sediment yields to streams or to protect infrastructure such as roads, culverts, or residences.
- Stabilizing banks using vegetation and bioengineering methods are the preferred options (may include toe rock as specified in Corps Regional General Permit 70); using rock above the toe may be needed in certain circumstances but will require additional agency review (see Table 3, Environmental Protection Measures, Tier IV).
- Grouted rock and concrete are not permitted.
- If rock is used above the toe, native riparian vegetation grown from plants in the watershed vicinity and appropriate to the site conditions will be incorporated

	<p>within and above the rock.</p> <p><u>Size Limitations:</u></p> <ul style="list-style-type: none"> <li>Bioengineered – <u>Length:</u> <i>Ave:</i> 1000 ft; <i>Max:</i> 2000 ft  <u>Area:</u> <i>Ave:</i> 1 acre; <i>Max:</i> 2.3 acres  <u>Soil disturbance:</u> <i>Ave:</i> 2000 cy; <i>Max:</i> 4000 cy</li> <li>UngROUTED rock – <u>Length:</u> <i>Ave:</i> 300 ft; <i>Max:</i> 500 ft  <u>Area:</u> <i>Ave:</i> 0.1 acre; <i>Max:</i> 0.2 acres  <u>Soil disturbance:</u> <i>Ave:</i> 300 cy; <i>Max:</i> 500 cy</li> </ul> <p><u>Environmental Benefits:</u></p> <ul style="list-style-type: none"> <li>Reduces excessive sedimentation to waterways from bank erosion</li> <li>Improves riparian habitat benefiting fish and wildlife</li> </ul>
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**16. Stream  
 Habitat  
 Improvement and  
 Management  
 (395)**



Example of old concrete crossing blocking steelhead passage

Maintain, improve, or restore the physical, chemical, and biological functions of a stream. This practice applies to streams where habitat deficiencies limit survival, growth, reproduction, and/or diversity of aquatic species in relation to the potential of the stream. This practice will be used to 1) remove structures that are barriers to fish passage; 2) add habitat features for steelhead such as rock weirs, boulder clusters, or root wads; or 3) plant native riparian vegetation on stream banks.

- Additional Conditions:
- Barrier removal or modification will be designed and implemented in accordance with the *California Salmonid Stream Habitat Restoration Manual* and in coordination with NMFS.

- Size Limitations:
- This practice is limited to a maximum stream length of 3000 ft; within that length, the following activities may occur: barrier removal, placement of habitat structures, and planting riparian vegetation.
  - Barrier removal - Length: *Ave:* 50 ft; *Max:* 100 ft  
Area: *Ave:* 0.25 acre; *Max:* 0.5 acre  
Soil disturbance: *Ave:* 2000 cy; *Max:* 4000 cy

	<ul style="list-style-type: none"> <li>Install rock weirs – <u>Length</u>: <b>Max</b>: 3 structures per 500 ft of stream  <u>Area</u>: <b>Max</b>: 0.2 acre;  <u>Soil disturbance</u>: <b>Max</b>: 900 cy (300 cy per structure*)   <u>Drop height</u>: <b>Max</b>: 2 ft (measured from weir to downstream toe)  <u>Jump height</u>: <b>Max</b>: 1 ft (fish jump height to get upstream of structure during high flows)</li> </ul> <p>* Reflects actual size of structure (50 cy per structure) and temporary work area in the channel (250 cy per structure)</p> <ul style="list-style-type: none"> <li>Planting riparian vegetation - <u>Length</u>: <b>Ave</b>: 1500 ft; <b>Max</b>: 2500 ft  <u>Area</u>: <b>Ave</b>: 0.5 acre; <b>Max</b>: 1 acre  <u>Soil disturbance</u>: <b>Ave</b>: 850 cy; <b>Max</b>: 1700 cy                  (Soil disturbance reflects the need to reconfigure banks before planting)</li> </ul> <p><u>Environmental Benefits</u>:</p> <ul style="list-style-type: none"> <li>Improves stream stability and function</li> <li>May decrease sediment and attached pollutants from entering waterways</li> <li>Enhances/creates essential habitat for steelhead and other aquatic species</li> </ul>
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**17. Stream Crossing (578)**



A stable area or structure constructed across a stream to provide access for people, livestock, equipment, or vehicles.

This practice is used to improve water quality by reducing sediment, nutrient, organic, and inorganic inputs to the stream; reduce stream bank and streambed erosion; and provide access to another land unit.

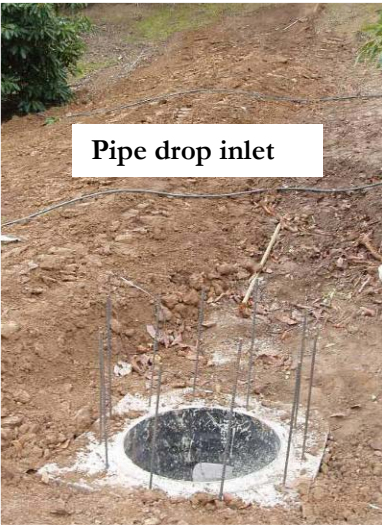
This practice will be used to replace or modify existing crossings only, not to construct a new stream crossing where none currently exists. Typically, this practice is used to install fish-friendly crossings and is preceded by removal of a fish passage barrier (Stream Habitat Improvement and Management, see above).

Fish-friendly crossings are typically replacements of undersized or perched culverts or replacement of a ford or culvert with a bridge.



	<p><u>Additional Conditions:</u></p> <ul style="list-style-type: none"><li>• This practice falls into Tier IV of the Environmental Protection Measures. See Table 3 for additional conditions.</li><li>• In steelhead streams, bridges, bottomless arch culverts, embedded culverts, or other fish-friendly designs are required.</li><li>• Bridges will not be replaced with fords or culverts.</li><li>• The maximum grading limits for this practice (1000 cy), includes all placement of fill associated with bridge or culvert construction, including, but not limited to, bridge abutments/piles, wing walls, bridge deck, rock slope protection, and minor road realignments. Actual project size for excavation and grading may be larger than 1000 cy based on the size of the barrier that requires removal prior to installing a culvert or bridge and/or potential need for instream re-grading and/or placement of keyways (at-grade structures for channel stabilization) up- or downstream of the crossing (see Stream Habitat Improvement and Management and Channel Stabilization practices).</li><li>• Culvert and bridge projects will require prior review and approval by the following County and City departments: Flood Control District, Building and Safety, appropriate Fire Departments. Any additional conditions required by these departments will be incorporated into the project design.</li></ul> <p><u>Size Limitations (bridge installment):</u></p> <ul style="list-style-type: none"><li>• <u>Length:</u> <b>Max:</b> 100 ft</li><li>• <u>Area:</u> <b>Ave:</b> 0.1 acre (finished crossing footprint); <b>Max:</b> 0.25 acre (includes temporary work area)</li><li>• <u>Soil disturbance:</u> <b>Max:</b> 1000 cy</li></ul> <p><u>Environmental Benefits:</u></p> <ul style="list-style-type: none"><li>• Reduces sediment and other pollutant inputs to streams</li><li>• Reduces streambed and bank erosion from eroding crossings</li><li>• Creates a crossing that is passable by steelhead</li></ul>
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**18. Structure for Water Control (587)**



	<p>A structure in an irrigation, drainage, or other water management system, that conveys water, controls the direction or rate of flow, or maintains a desired surface elevation.</p> <p>This practice will be used to replace, modify, or install new culverts in <u>upland areas non-steelhead streams and drainages</u> such as under existing access roads. <del>culverts that cross streams are not included (no new crossings will be installed under this practice).</del></p> <p>This practice also includes water control structures such as pipe drop inlets, stand pipes, and pump boxes.</p> <p><u>Additional Conditions:</u></p> <ul style="list-style-type: none"><li>• <del>Structures <b>will not</b> be installed where they could adversely impact wetlands or water related wildlife habitats.</del></li><li>• <u>New culverts <b>will not</b> be installed in perennial streams.</u></li><li>• <u>New culverts will only be installed in drainages that have runoff rates of 80 cubic feet per second (cfs) or less for a 10 year, 24 hour storm event. If runoff rates exceed that amount, new culverts will require individual permits.</u></li><li>• <u>Replacement of existing culverts may occur in perennial streams and may include replacing undersized, eroding culverts with properly sized culverts.</u></li><li>• <u>Other water control structures:</u> Pump boxes are installed within existing irrigation systems; for example, to pump water from a tailwater recovery basin back into the irrigation system.</li></ul> <p><u>Size Limitations:</u></p> <ul style="list-style-type: none"><li>• New or modified culvert - <u>Length:</u> <i>Ave:</i> 50 ft; <i>Max:</i> 100 ft <u>Area:</u> <i>Ave:</i> 0.1 acre; <i>Max:</i> 0.25 acre <u>Soil disturbance:</u> <i>Ave:</i> 300 cy; <i>Max:</i> 1000 cy</li><li>• <u>New culvert – 80 cfs or less for a 10 year, 24 hour storm</u></li></ul> <p><u>Environmental benefits:</u></p> <ul style="list-style-type: none"><li>• By controlling the velocity of water running through an area, this practice reduces erosion and may help prevent down cutting of stream channels.</li></ul>
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#### **D. Planning and Design**

***The NRCS and CRCDD Approach to Conservation.*** In Santa Barbara County, NRCS and CRCDD staffs, whose expertise includes engineering, biology, soil science, range science, and irrigation water management, operate out of the Santa Maria Service Center and provide services for all areas within the County. Additionally, the NRCS Area office in Salinas and the State office in Davis have staffs of specialists in fisheries biology, wildlife biology, fluvial geomorphology, and botany available to consult with NRCS/CRCDD on project assessment, design, and implementation. Erosion and habitat degradation, which are problems throughout the County's watersheds, are best controlled at the source. In Santa Barbara County, the NRCS and CRCDD have worked successfully with public and private groups and individuals to improve watershed management practices. The agencies' watershed approach to coastal resource management focuses attention on the cumulative effect of upland land uses on the creeks, streams, and rivers that eventually flow to sloughs and estuaries.

Recent and ongoing projects by CRCDD and NRCS that target non-point source pollution and/or benefit fish and wildlife include the Santa Maria River Watershed Non-Point Source Pollution Management Plan, September 2000, a 205j report for the Regional Board; the Refugio Creek Arundo Removal Plan, August 2002; Santa Rosa Creek Riparian Restoration Program in 2002, which was a large construction project; San Antonio Creek Coordinated Resource Management Plan, December 2003, a Proposition 13 project for the Regional Board; the repair of grade control structures in Las Flores Creek; an Assessment of Agricultural Land Use and Runoff in Oso Flaco Creek Watershed, August 2004; the Carpinteria Creek Watershed Plan, March 2005, for the Department of Fish and Game; a 319h project for the Regional Board called Demonstrating Water Quality Improvement on the Central Coast; and a Proposition 50 project for the Regional Board called Irrigated Agriculture Best Management Practice BMP Implementation. CRCDD also has a Mobile Irrigation Lab which evaluates on-farm irrigation systems for distribution uniformity.

Over the past 10 years, NRCS has provided approximately \$1 million in incentive payments to farmers and ranchers through EQIP (Environmental Quality Incentives Program). The practices implemented under EQIP focus on reducing sediments from entering streams, reducing applications of fertilizers and pesticides, and grazing management systems to reduce overgrazing and improve riparian habitat. This program is ongoing.

***NRCS Conservation Planning Process.*** NRCS utilizes a rigorous planning process before offering recommendations to landowners. As a federal agency, NRCS must ensure projects comply with the National Environmental Policy Act (NEPA). NRCS is required to conduct an Environmental Evaluation for assistance it provides according to the NRCS-NEPA rules (7CFR 650), which became effective in 1979, and were updated by California Amendment CA4 in 2000. This rule prescribes the assessment procedures under which NRCS-assisted actions are to be implemented. The procedures are designed to ensure that environmental consequences are considered in decision-making and to allow NRCS to assist individuals and non-federal public entities to take actions that protect, enhance, and restore environmental quality.



More specifically, NRCS uses a 9-step conservation planning process to customize a management plan unique to the conditions of a local property and its manager. A conservation plan describing the selected management system is prepared for the landowner, and a NEPA-compliant Environmental Assessment Worksheet is completed as part of each conservation plan to document potential short-term, long-term, and cumulative effects of the proposed actions as well as the on-site and off-site impacts. Alternatives are evaluated by the landowner and NRCS; this analysis results in a specific land use plan including detailed recommendations and an engineered plan, if necessary. The NRCS planning steps and the associated checklists, inventory forms, and other planning documents are listed below in Table 2. A copy of the Environmental Assessment Worksheet is included as Attachment 4. Under the Project, NRCS/CRCO will evaluate the impacts of proposed projects to ensure there is a net environmental gain and that temporary impacts during project construction are minimized.

Projects with potential to result in significant adverse environmental impacts are not permitted under the Project. If significant adverse environmental impacts are expected to result from a proposed project, the landowner will be encouraged to consider alternative actions. If no acceptable alternative can be identified, the landowner will be directed to prepare a project-specific Environmental Impact Statement (EIS) and to obtain individual project-specific permits.

**Table 2. NRCS Conservation Planning Process**

	<b>NRCS PLANNING STEP</b>	<b>DOCUMENT USED</b>	<b>RESULTS</b>
Step 1	<b>Consultation</b>		Identify resource problems with the cooperators (land operator) and other specialists.
Step 2	<b>Determine objectives</b>		Identify, agree on, and document the cooperators' objectives.
Step 3	<b>Inventory the resources</b>	<i>Checklist of Resource Problems or Conditions</i>	The checklist prompts the inventory team to provide quantitative or qualitative data in several resource categories: Soils, Water, Air, Plants, Animals, and Human (social, economic, and cultural).
Step 4	<b>Analyze resource data</b>	<i>Site Specific Practices Effect Worksheet</i>	Each of the resource problems or concerns identified during the inventory is itemized in a matrix. All current resource management practices and all potential improved practices are also listed in the matrix. The anticipated negative or positive effects of each of the listed practices on each of the resource concerns are evaluated in the matrix using a three-point scale.
Step 5	<b>Formulate alternative solutions</b>	<i>Resource Management System (RMS) Guidesheet</i>	Groups of practices ('resource management systems') that result in a significant positive improvement in all resource problem categories are identified as alternative systems in the guidesheet. Other groups of practices are also listed as additional alternatives as long as they do not result in a negative effect on resource problems. This process is also known as an "alternatives analysis." Ideally the minimum number of practices that can collectively address all resource problems provides the most efficient and economical alternative for the cooperators.
Step 6	<b>Evaluate alternative solutions</b>	<i>Conservation Effects Worksheet</i>	To assist the cooperators in selecting an alternative system, the NRCS staff may choose to present each alternative resource management system (RMS) in contrast with current management conditions in the worksheet. The net effects of implementing the RMS can be shown in terms of resource protection, crop production improvements, economic costs or other terms of interest to the cooperators decision-maker.
Step 7	<b>Cooperator determines course of action</b>	<i>Conservation Plan and Environmental Assessment Worksheet</i>	Select optimal set of conservation practices to maximize resource protection and enhancement. NRCS prepares conservation plan and specifications and Program Environmental Assessment Worksheet.
Step 8	<b>Cooperator implements plan</b>		Practices are implemented according to NRCS recommended design, standards, and specifications and with NRCS on-site technical support, if needed.
Step 9	<b>Evaluation of results of plan</b>		Evaluate effectiveness of plan and make adjustments as needed.

## **E. Environmental Protection Measures**

The Project builds on the existing NRCS Conservation Practices and the planning process as described above. The third major piece of the Project is environmental protection. The Environmental Protection Measures are established with agency collaboration and form the basis of permit conditions to be issued by each agency. The Protection Measures are mandatory and therefore, they are incorporated into all phases of projects, from planning and design through implementation, monitoring, and reporting, and form an essential part of the Project description.

***The Tiered Approach.*** Early during Project development, the Regional Board suggested, and the Department of Fish and Game (DFG) concurred, that a tiered approach to the protection measures might simplify and clarify how the protection measures would be organized and applied. The idea was to develop a simple decision tool based on level of impact (rather than individual practices). The result is the Tiered Impacts Decision Tool (see Figure 1). Using this tool, projects are placed into one of four tiers, based on impact level. Projects having the fewest impacts are placed in TIER I; those with the greatest potential impacts are placed in TIER IV. As tiers increase, so also do the required Protection Measures. Knowing this, landowners have the option of reducing the scope of their projects in order to qualify for a lower tier.

**TIER I:** All the practices performed in uplands and where no listed species or critical habitat would be impacted fall into TIER I; if listed species or critical habitat could be affected in upland areas, projects are automatically placed in TIER III; no work is performed in streams under this tier.

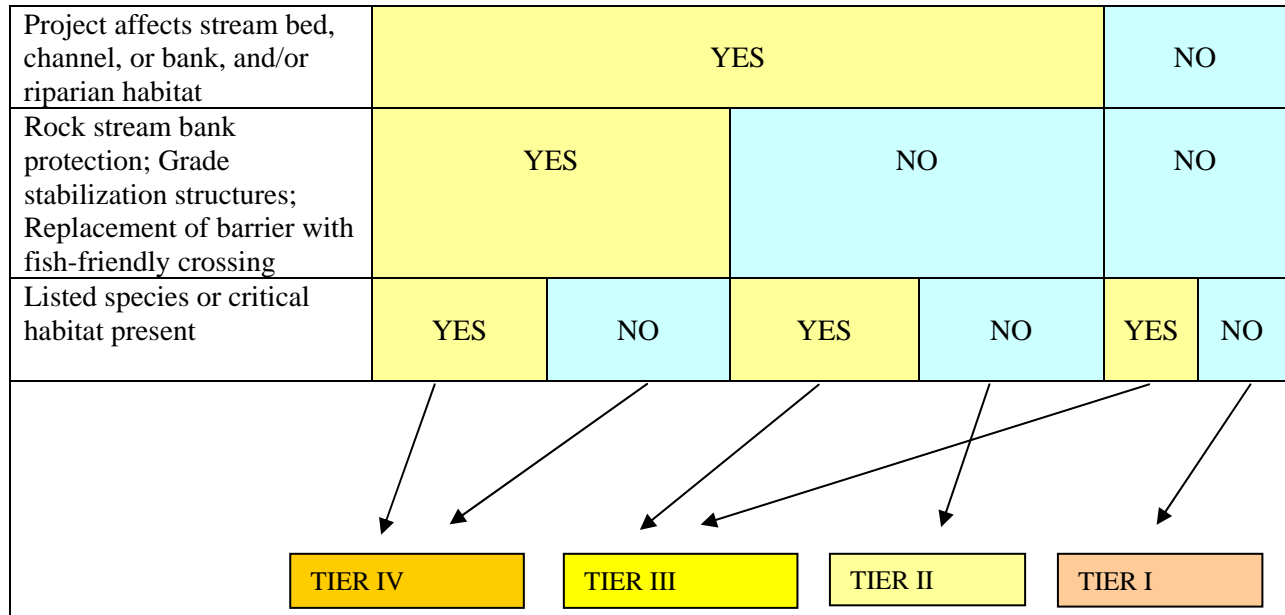
**TIER II:** Practices performed within the stream corridor where no listed species or critical habitat would be impacted AND which do not require rock stream bank protection, grade stabilization structures, or replacement/ modification of stream crossings, fall into TIER II;

**TIER III:** Practices performed within the stream corridor where listed species or critical habitat could be impacted AND which do not require rock stream bank protection, grade stabilization structures, or replacement/ modification of stream crossings, fall into TIER III;

**TIER IV:** Practices performed within the stream corridor that require rock stream bank protection, grade stabilization structures, or replacement/modification of stream crossings fall into TIER IV.

Tiers are additive; that is; requirements automatically include the protection measures from lower ranked tiers, as applicable. For example, requirements for TIER III also include the protection measures contained in TIERS I and II, as applicable. Complete descriptions of the Environmental Protection Measures for each tier are given in Table 3.

**Figure 1. Tiered Impacts Decision Tool**



**Table 3. Environmental Protection Measures**

Project Component	TIER I	TIER II	TIER III	TIER IV
Summary	Projects qualifying for TIER I shall NOT be implemented in streams, riparian habitat, or where listed species would be impacted. TIER I projects shall only be implemented in upland areas used for cultivation or grazing. Where native habitat occurs within or adjacent to a project site, special conditions apply.	Projects implemented in streams and/or riparian areas are automatically placed in TIER II or higher; projects may require temporary water diversions/dewatering; other special conditions apply.	Projects where listed species occur are automatically placed in TIER III or higher; additional survey and monitoring requirements apply; other special conditions apply.	Projects requiring rock bank protection or grade stabilization structures or stream crossing replacement/modification are automatically placed in TIER IV; additional planning and design tools apply; additional notification and review requirements apply; early coordination with agencies is required; other special conditions apply.
Site Disturbance	Site disturbance shall not exceed the maximum size limitations for each practice as specified in Table 1. The total project footprint (including staging and access) shall be limited to the minimum area necessary to achieve the project goals. Project activities shall utilize existing staging areas and access roads whenever possible and total staging and access area shall not exceed 0.25 acre. Native vegetation shall not be trampled, damaged or removed to locate the staging area. Temporary storage for construction vehicles and equipment shall avoid tree driplines and watercourse banks to the maximum extent feasible.	<p>Additional restrictions:</p> <p>Finished grades shall not be steeper than 2:1 side slopes unless pre-construction condition is so steep that site conditions prohibit a 2:1 slope on the final grade.</p> <p>Disturbance or removal of native riparian vegetation in the bed, channel, or bank shall be avoided to the maximum extent possible; when necessary to install practices, disturbance or removal may occur as follows:</p> <p>A maximum of 0.10 acre of native riparian habitat may be removed from a stream's bed, channel, or banks for any given project. Where the area</p>	<p>Additional restrictions:</p> <p>In addition to these general protection measures, all terms and conditions in the biological opinions issued by the U.S. Fish and Wildlife Service (FWS) and the National Marine Fisheries Service (NMFS) and conditions in the streambed agreement related to state-listed species issued by DFG shall be implemented.</p>	No additional restrictions

**Table 3. Environmental Protection Measures**

Project Component	TIER I	TIER II	TIER III	TIER IV
	<p><u><i>Biological Resources</i></u>                      All projects shall be located in currently disturbed or degraded areas. However, previously intact native habitats (native grassland, oak woodland, vernal pools, chaparral, coastal sage scrub) may be encountered in the project area. To avoid further degradation to these habitats, the following conditions apply:</p> <p>Native grasses that are part of a native grassland (using DFG's definition) shall be avoided; patches of native grasses that are clearly isolated and not a part of a native grassland or other sensitive habitat (vernal pools, oak woodland/forests, wetlands, riparian habitat), shall be avoided to the maximum extent possible. If patches of native grasses cannot be avoided completely, no more than 0.24 acre shall be disturbed for a project.</p> <p>Projects may be sited in oak woodlands but shall not result in habitat fragmentation, loss of canopy cover, changes in</p>	<p>contains a 50/50 mix of native and invasive species, up to 0.25 acre may be removed. If the area is &gt;90% non-native invasive species, up to 2.5 acres of vegetation may be removed.</p> <p>Trimming or removal of native trees 3" or greater diameter at breast height (dbh) is not permitted, except willows, for which trimming or removal is not permitted for trees 4" or greater dbh; exceptions may be authorized on a case-by-case basis by DFG and County P&amp;D. For permitted removal of any native tree, the root structure of the tree shall be left intact unless otherwise authorized by DFG on a case by case basis. Non-native trees that provide habitat for special status species shall not be removed. Diseased or dead trees (native and non-native) may only be removed if causing bed or bank erosion.</p> <p>Only handheld equipment (loppers, weed whackers, chainsaws) shall be used to trim or remove vegetation within the channel or on the bank when required prior to installing conservation practices.</p> <p>NRCS/CRCO shall design and implement re-vegetation plans when</p>		



**Table 3. Environmental Protection Measures**

Project Component	TIER I	TIER II	TIER III	TIER IV
	<p>hydrology, or impairment to wildlife movement. Impacts to individual oak trees shall be avoided to the maximum extent possible. Removal of oak trees is not permitted. Where the root zone cannot be avoided completely, no more than 20% of the root zone shall be affected by project installation.</p> <p>Projects shall avoid direct and indirect impacts to vernal pools, vernal pool complexes, seasonal wetlands, and other isolated wetlands: no project shall result in decreased water flow, topographic changes, or restricted wildlife access/movement to or within these habitats.</p> <p>Rare species and species of state or local concern occurring within the project site (identified during the initial site assessment as described in the Survey section, below), shall be subject to protection measures defined by DFG and/or California Native Plant Society (CNPS) Mitigation Guidelines.</p>	<p>required to permanently restore sites to their pre-construction condition or better, with the goal of achieving a more natural state. Removal of native riparian vegetation shall be replaced onsite <u>at a minimum 1:1 replacement ratio. Percent cover of native plantings (success criteria) shall be determined by the pre-construction condition of native riparian plant cover (e.g., if pre-construction native plant cover is 50%, re-vegetation requirements shall be at least 50%).</u> <del>a case-by-case basis in collaboration with DFG staff or another qualified individual. Success criteria shall be based on the existing or potential condition of native habitat prior to construction, or on the existing or potential condition of native habitat upstream or downstream of the project reach.</del> <u>If native riparian vegetation is absent from the project site, then appropriate species from the Approved Plant List shall be planted. If riparian habitat exists immediately up- or downstream of the project site, and site conditions indicate the potential to restore riparian vegetation (e.g., hydrologic regime), then percent cover of native riparian species shall be determined on a case-by-case basis with DFG or another</u></p>		

**Table 3. Environmental Protection Measures**

Project Component	TIER I	TIER II	TIER III	TIER IV
	<p>Upland projects that are part of a grazing management plan (cross-fencing and stockwater systems) shall offset any disturbance to individual grasses or oak trees (as described above) by eliminating overgrazing and enhancing adjacent riparian areas.</p> <p>All trash generated at project sites shall be contained, removed, and disposed of properly at the end of each workday.</p> <p>Pets shall not be allowed at project sites.</p> <p><u>Cultural Resources</u>                      Trained NRCS staff (with certification to conduct initial evaluations) shall consult cultural resource maps maintained by the County. If the maps indicate cultural resources may be present at project sites, NRCS shall follow the protocols approved by the State Historic Preservation Office (SHPO) to protect cultural resources (see Attachment 5).</p>	<p><u>qualified individual.</u></p> <p>Monitoring and reporting requirements for revegetated sites are described in the Monitoring and Reporting sections, below.</p> <p>Native plants characteristic of the local habitat type shall be the preferred alternative for revegetation. Non-native, non-persistent grass mixes (e.g., barley grass) may be used as fast establishing temporary cover for erosion control while natives are establishing. Plants chosen for revegetation shall be from the approved plan list (Attachment 3).</p> <p>If heavy equipment is required, it shall be operated from the top of creek banks or on terraces above the creek bed whenever possible. If access to the work site requires heavy equipment to travel across a stream, a rubber tired loader/backhoe is the preferred vehicle; tracked vehicles may be used as a last resort.</p>		

**Table 3. Environmental Protection Measures**

Project Component	TIER I	TIER II	TIER III	TIER IV
	<p><u>Dust Control</u>                      One or more of the following protection measures shall be implemented if applicable for specific site conditions and the type of Practices being implemented:</p> <ul style="list-style-type: none"> <li>• During clearing, grading, earth moving, excavation, or transportation of cut or fill materials, water trucks will be used to prevent dust from leaving the site.</li> <li>• Soil stockpiled for more than two days will be covered, left moist, or treated with soil binders to prevent dust generation</li> <li>• On-site vehicle speeds will be limited to 15 miles per hour or less.</li> <li>• Gravel pads or similar devices will be installed at all access points to prevent tracking of mud on to public roads</li> <li>• Trucks transporting fill material to and from the site shall be tarped from the point of origin.</li> </ul> <p>NRCS staff will ensure that the above measures are implemented,</p>			

**Table 3. Environmental Protection Measures**

Project Component	TIER I	TIER II	TIER III	TIER IV
	if applicable, on work performed as part of this Project.			
Protections for Water Quality	<p>Erosion control and sediment detention devices shall be incorporated into the project design and installed to prevent sediment input to streams. Sediment collected in these devices shall be disposed of away from the collection site and outside riparian areas or flood hazard areas. These devices shall be inspected before and after rain events to ensure they are functioning properly.</p> <p>All contaminated spoil, rubbish, creosote-treated wood, raw cement/concrete or washings thereof, asphalt, paint or other coating material, oil or other petroleum products, or any other substances which could be hazardous to aquatic or terrestrial life, resulting from project related activities, shall be prevented from contaminating the soil and/or entering waterbodies.</p> <p>Hand removal of invasive plants,</p>	<p>Additional restrictions:</p> <p>Except as noted below, no soil amendments shall be used in the stream bed or bank to hasten or improve the growth of critical area plantings. Soil amendments shall only be used when the establishment of new plants is prohibited by poor soil conditions. In most circumstances, organic amendments shall be used to ensure successful establishment of revegetation. In situations where organic amendments will not guarantee adequate establishment of vegetation, application rates for non-organic soil amendments shall be based on soil nutrient testing and shall utilize slow release or split applications to minimize leaching or runoff into water bodies.</p>	<p>No additional restrictions</p>	<p>No additional restrictions</p>

**Table 3. Environmental Protection Measures**

Project Component	TIER I	TIER II	TIER III	TIER IV
	<p>rather than pesticides, shall be used whenever possible.  <u>Removal of non-natives shall employ standard Integrated Pest Management techniques, including the use of alternatives to traditional pesticides (i.e., glyphosate) when feasible.</u>                      Herbicides/fungicides/pesticides shall be applied sparingly when needed for invasive plant removal and in such a way as to be protective of water quality, and in accordance with any local agency or manufacturer usage restrictions. Application shall be spot applied directly to vegetation and far enough away from waterbodies to prevent discharge or migration to them. Only herbicides that do not contain surfactants shall be used where there is any potential for migration into waters of the state. Herbicides shall not be applied when winds exceed 5 miles per hour or within 96 hours of forecasted rain.</p> <p>For upland practices that require plant establishment (e.g., Diversions and Filter Strips, see Table 1 in the Project</p>			



**Table 3. Environmental Protection Measures**

Project Component	TIER I	TIER II	TIER III	TIER IV
	Description), fertilizers may be used only where poor soil structure would prevent establishment of new plantings.			
Temporary water diversion/ dewatering	Not applicable: work in streams is not allowed for TIER I projects.	<p>Additional restrictions:</p> <p>Work in flowing or ponded water is not allowed, except as indicated below.</p> <p>If temporary or intermittent flows exist onsite, construction shall occur when the stream is dry. If groundwater seeps into the work area, the site shall be dewatered.</p> <p>If perennial flows exist onsite, the work area shall be isolated from flowing water by temporarily diverting water around the work site in a manner that maintains downstream flows during construction and minimizes siltation. Passive diversion is preferred over pumping. If pumping is used, additional requirements shall apply, as specified by DFG in the Streambed Alteration Agreement. Excavating a channel for the purpose of isolating the workspace from flowing water is not allowed.</p>	<p>Additional restrictions:</p> <p>See additional survey and monitoring requirements for listed species, below.</p>	No additional restrictions

**Table 3. Environmental Protection Measures**

Project Component	TIER I	TIER II	TIER III	TIER IV
Stream bank protection; grade stabilization structures; or replacement/modification of stream crossings	Not applicable: work in streams is not allowed for TIER I projects.	<p>Bank protection methods shall be selected in the following order of decreasing preference: 1) vegetation only; 2) bioengineering methods in which vegetation is incorporated with natural type structural components such as woody branches, natural rock, logs, natural fibers and geotextiles, and biodegradable temporary geotextiles; and, 3) bioengineering methods with incorporation of toe rock as described in the Corps' Regional General Permit 70.</p> <p>Placement of rock above the toe is not allowed.</p> <p>Grade stabilization structures are not allowed.</p> <p>Replacement or modification of stream crossings is not allowed.</p>	<p>Additional restrictions:</p> <p>In addition to these general protection measures, all terms and conditions in the biological opinions issued by the FWS and NMFS and conditions related to state-listed species in the streambed agreement issued by DFG will be implemented.</p>	<p>Additional restrictions:</p> <p>Stream bank protection may incorporate rock above the toe if site conditions indicate it is required. If rock is required, the minimum amount needed to achieve the project goals shall be used. Use of rock shall conform to the description and limits contained in the Stream Bank Protection practice (Table 1 of the Project Description).</p> <p>Channel stabilization may require grade stabilization structures for repair of large gullies. If rock is required, the minimum amount needed to achieve the project goals shall be used. Use of rock shall conform to the description and limits contained in the Grade Stabilization Structure practice (Table 1).</p> <p>Replacement or modification of stream crossings is allowed and shall conform to the description and limits contained in the Stream Crossing practice (Table 1).</p>

**Table 3. Environmental Protection Measures**

Project Component	TIER I	TIER II	TIER III	TIER IV
				Additional notification and project review requirements apply; additional planning tools apply (see Notification and Review and Planning sections, below).
Timing	Project construction shall avoid the rainy season and consider wildlife usage in the project area. The general construction season shall be <u>May 15<sup>th</sup> to October 31<sup>st</sup></u> . All earthmoving activities shall be completed by October 31 <sup>st</sup> .	<p>Additional restrictions:</p> <p>All earthmoving activities shall be completed by October 31<sup>st</sup>; except revegetation, which may continue until November 30<sup>th</sup>. Work beyond these days may be authorized, on a site-specific basis, following coordination with DFG and County Planning and Development. No work shall occur when rain is forecast within a 24-hour period.</p> <p>Work shall not begin until after July 31 to avoid potential impacts to breeding riparian birds. To begin earlier, surveys and additional protection measures are required (see Survey requirements, below).</p>	<p>Additional restrictions:</p> <p>Where listed species could be impacted by construction activities, work will only be implemented during time intervals specified by the FWS, NMFS, and/or DFG for these species.</p>	No additional restrictions
Surveys	Initial site assessments shall be carried out by a certified conservation planner (individuals who have	<p>Additional restrictions:</p> <p><u>Breeding Bird Surveys</u>                      If projects are implemented after July</p>	<p>Additional restrictions:</p> <p>If habitat for listed species is found in the project area, a</p>	No additional restrictions

**Table 3. Environmental Protection Measures**

Project Component	TIER I	TIER II	TIER III	TIER IV
	<p>completed a formal training process and have obtained certification, (see <a href="#">Appendix A, Attachment 7</a>) to evaluate whether characteristic habitat for listed species, rare species, or species of state or local concern could occur or does occur in proposed work areas. In addition to certification, conservation planners shall receive training from a qualified individual on survey techniques and site assessment methods to determine potential presence of listed species, rare species, or species of state or local concern, or suitable habitat.</p> <p>If habitat <u>or potential habitat</u> for listed species is found in the project area or listed species are known to occur in the project area, conditions described in TIER III shall be implemented.</p> <p>If rare species or species of state or local concern are found in the project area, they shall be subject to protection measures outlined by DFG and/or CNPS Mitigation Guidelines.</p>	<p>31, surveys by a qualified individual for riparian breeding birds shall not be required. If construction must occur prior to July 31, a qualified individual, approved by DFG, shall conduct pre-construction surveys for breeding birds or bird nesting activity. If any active nests are found, a 300-foot exclusion zone (500 feet for raptors) shall be established and maintained to protect the nest until the qualified individual verifies that birds have fledged or the nest is abandoned. NRCS/CRCO may request exceptions to size requirements for exclusion zones from DFG on a case-by-case basis. Take of active nests is prohibited.</p>	<p>qualified individual (pre-approved by the FWS, NMFS, and/or DFG) shall complete a pre-construction survey to determine if species or habitat will be disturbed by planned activities. This individual shall use approved protocols to conduct the surveys of each site identified during the initial assessment as containing potential habitat <b>OR</b> assume presence of the species if representative habitat is present (in lieu of conducting protocol-level surveys).</p>	

**Table 3. Environmental Protection Measures**

Project Component	TIER I	TIER II	TIER III	TIER IV
Monitoring	<p>A qualified individual shall be onsite during construction activities to ensure compliance with permit conditions. The qualified individual shall be authorized to halt work if necessary to ensure compliance and protect resources.</p> <p>Prior to ground disturbance, a qualified individual shall walk through the construction area each day so that wildlife present in the work area can move out of harm's way.</p> <p>Any non-compliance shall be addressed through the Procedures for Non-Compliance as detailed in Section H of the Project Description.</p>	<p>Additional restrictions:</p> <p>A qualified individual shall be present at work sites during removal of any instream/bank structures or vegetation to ensure any wildlife present can move to a safe location.</p> <p>A qualified individual shall be onsite during any activities related to temporary water diversion, and shall inspect the diversion system daily to ensure proper functioning and protection of water quality and biological resources.</p> <p>A qualified individual shall monitor the effectiveness of breeding bird exclusion zones daily if staking and flagging is used for the exclusion, or weekly if temporary fencing is used for the exclusion</p> <p>Revegetated areas shall be monitored for 3 years to ensure success criteria have been met. If success criteria are not reached at the end of 3 years, the monitoring period shall be extended for 2 additional years.</p>	<p>Additional restrictions:</p> <p>For federally and state listed species, a qualified individual shall ensure that all terms and conditions of the biological opinions issued by the FWS and NMFS and the streambed agreement issued by DFG are implemented. The qualified individual shall have authority to halt work if necessary to ensure compliance and protect listed species during construction.</p>	<p>No additional restrictions.</p>
Planning	<p>Project design, implementation, monitoring, and maintenance shall follow the mandated 9-step NRCS planning process, as</p>	<p>No additional restrictions</p>	<p>Additional restrictions:</p> <p>If work is to be performed in steelhead habitat,</p>	<p>Additional restrictions:</p> <p>Evaluating stream bank protection incorporating rock,</p>



**Table 3. Environmental Protection Measures**

Project Component	TIER I	TIER II	TIER III	TIER IV
	described in Section D of the Project Description.		NRCS/CRCD shall use other appropriate planning tools such as the <i>California Salmonid Stream Habitat Restoration Manual</i> (DFG), <i>Culvert Criteria for Fish Passage</i> (DFG, April 2003), and <i>Guidelines for Salmonid Passage at Stream Crossings</i> (NMFS, September 2001).	grade stabilization structures using rock, and stream crossing replacement or modification, shall include the “ <i>Primer on Stream and River Protection</i> ” (RWQCB, San Francisco Bay Region, 2003) as an assessment tool. This evaluation includes potential effects up- and downstream, flow conditions that could result in increases in erosion, deposition, or flooding, and creation of stable channel conditions appropriate to the site, among others.
Training	<p>A training session shall be conducted for NRCS and CRCD staff involved with any phase of the Project. The training shall be based on the handbook, created by NRCS titled <i>Procedures for Complying with Multiple Permits: A Guide for Conservation Planners</i>. Measures required to avoid and/or minimize impacts to biological and cultural resources shall be emphasized.</p> <p>All project workers and persons associated with the project, including participating landowners, managers,</p>	No additional restrictions	<p>Additional restrictions:</p> <p>The mandatory training <u>shall be conducted by a qualified individual</u> and shall include information about listed and other protected species that could be encountered. At a minimum, the training shall include:</p> <p>The natural history of any State or Federally listed or proposed species and other special-status species that may occur onsite; how to recognize these species and their habitats; protection afforded</p>	No additional restrictions

**Table 3. Environmental Protection Measures**

Project Component	TIER I	TIER II	TIER III	TIER IV
	<p>contractors, and sub-contractors, shall attend a training prior to any ground-disturbing activities. Conditions of permits and agreements, roles and responsibilities of the parties, and procedures and consequences for non-compliance shall be emphasized.</p>		<p>listed species by the federal and state Endangered Species Acts; measures to be followed during construction and maintenance to protect these species and habitats; the necessity of strict adherence to all the conditions and requirements contained in the programmatic permits and the Cooperator Agreement, <u>and penalties for non-compliance with the ESA.</u></p>	
<p>Notification and Project Review</p>	<p>NRCS/CRCO shall provide <b>electronic</b> pre-construction notification (PCN) for each project to regulatory agencies with jurisdiction over project activities. The PCN shall include the following information:</p> <p>Project location; TIER the project falls under and why; project description and purpose/need (including environmental benefits expected); existing condition of the project site, pre-construction photos of the project site and adjacent areas; environmental setting (surrounding habitat, adjacent land uses); approved practices to be installed; project</p>	<p>Additional restrictions:</p> <p>NRCS/CRCO shall circulate to jurisdictional agencies a written preliminary PCN. These agencies shall provide comments or recommended revisions within 21 working days. A site visit, if desired, shall be coordinated through NRCS/CRCO within the 21 day review period. NRCS/CRCO shall incorporate agency recommendations into the project description and prepare and circulate a final PCN. Work may begin immediately after the final PCN is sent.</p> <p>PCNs shall include a description of proposed water diversion or silt controls if working in a perennial</p>	<p>Additional restrictions:</p> <p>Details shall be provided in the PCN on listed species/habitat present in relation to the work area, potential impacts to listed species/habitat, avoidance/minimization measures planned, and verification (by number) of the biological opinion issued by FWS or NMFS that corresponds to the actions planned to protect listed species. <u>The names, resumes, and references of proposed qualified individuals shall also be provided.</u></p>	<p>Additional restrictions:</p> <p>Early consultation with agencies and additional time to review preliminary PCNs shall be required, as described below.</p> <p>Preliminary PCNs shall include alternatives considered, planning tools used for the assessment, and justification for using rock for stream bank protection or grade stabilization structures.</p> <p>Projects for stream bank protection requiring rock above the toe and projects requiring rock grade stabilization structures shall require review</p>

**Table 3. Environmental Protection Measures**

Project Component	TIER I	TIER II	TIER III	TIER IV
	<p>dimensions (length, width, volume of soil disturbance, height); copy of the Cooperator Agreement, and summary of any survey results.</p> <p>Work may begin 10 working days after electronic notifications have been sent, absent an objection on the appropriateness of tier; if a question is raised as to whether a listed species may be impacted by the project (and therefore, the project should be placed in TIER III), a final determination on tier placement shall be made by FWS and/or DFG. Jurisdictional agencies with questions or wishing to arrange a site visit, may coordinate with NRCS/ CRCD within the 10-day review period.</p>	<p>stream and flows will be isolated from the workspace.</p>		<p>and approval on a case-by-case basis by DFG and the Regional Board. All time limitations for review and approval for final PCNs for TIER II apply.</p> <p><del>Projects for stream bank protection requiring the incorporation of any rock (including toe rock) or projects requiring rock grade stabilization structures or projects for replacement or modification of stream crossings shall require separate review and approval on a case-by-case basis by County Planning and Development (P&amp;D) and CA Coastal Commission (CCC) (if in the coastal zone).</del></p> <p><del>A site visit by P&amp;D and CCC (or a designated agent) to proposed project sites with NRCS/CRCD is strongly encouraged. P&amp;D and CCC staff shall schedule the on-site review with NRCS within 21 working days after the preliminary PCN is sent.</del></p> <p>P&amp;D and CCC shall provide NRCS with written comments</p>

**Table 3. Environmental Protection Measures**

Project Component	TIER I	TIER II	TIER III	TIER IV
				<p>within 30 days of the site visit, recommending any additional protection measures and/or ways to change the scope of the project so that it can be implemented under the program. NRCS/CRCD shall incorporate agency recommendations into the project description and prepare and circulate a final PCN. Work may begin 10 days after the final PCN is sent.</p> <p>If suggested changes cannot be incorporated, P&amp;D and CCC may exclude a project from the program and require application of an individual permit.</p> <p>If P&amp;D and CCC are considering dropping a project from the program, a site visit shall be required prior to their final determination.</p> <p>If a project is dropped, the landowner would then apply for individual project permits from P&amp;D (including a coastal development permit, if appropriate).</p>

**Table 3. Environmental Protection Measures**

Project Component	TIER I	TIER II	TIER III	TIER IV
Reporting	<p>NRCS/CRCO shall report the status of all projects to permitting agencies in the form of an annual post-construction report. The annual report shall be due by January 31 of each year during the term of the permit. The report shall include the following information:</p> <p>A list of participating landowners/organizations; currently active projects, description of each project purpose, area affected, environmental enhancements accomplished, amounts/volumes of cut/fill, finish slopes, etc. It shall also list conservation benefits and any net gains in wetlands and riparian areas, describe actions taken to avoid adverse effects to habitat, and provide photo-documentation of before and after site conditions.</p> <p>The report shall also include any project that is dropped from the Project (following the Compliance and Procedures for Non-Compliance described in Sections G and H of the Project Description).</p>	<p>Additional restrictions:</p> <p>Reports shall include a revegetation plan (when required), and results of revegetation efforts. The report shall also include a review of the status of all previous habitat restoration efforts that are being monitored (as described in the Monitoring section, above).</p>	<p>Additional restrictions:</p> <p>The report shall include listed species survey results; species encountered during the project, if any; measures implemented for protection; any take (relocation of individuals and/or mortality); other relevant information contained in the monitor's report, and the monitor's field notes.</p>	<p>No additional restrictions</p>

**F. Additional Protection Measures for Listed Species**

Species-specific protection measures are being developed in collaboration with agencies with jurisdiction over protected species and sensitive habitats. These measures will become part of the programmatic biological opinions and streambed alteration agreement issued for the Project.

A list of Federal and State listed candidate, threatened, endangered, and fully-protected species potentially occurring in the Project area is shown in Table 4. Many of these species occur in habitats where the Project will not be implemented. Species likely to be encountered are shown with an asterisk.

Table 4. Federal and State Listed Candidate, Threatened, Endangered, and Fully Protected Species Potentially Occurring in the Project Area and Likely to Occur in the Project Area (\*)

Common Name <i>Scientific Name</i>	Federal	State
<b>FLOWERING PLANTS</b>		
Beach layia <i>Layia carnosa</i>	Endangered	Endangered
*California jewelflower <i>Caulanthus californicus</i>	Endangered	Endangered
Contra Costa goldfields <i>Lasthenia conjugens</i>	Endangered	
*Gambel's watercress <i>Rorippa gambellii</i>	Endangered	Threatened
*Gaviota tarplant <i>Hemizonia increscens villosa</i>	Endangered	Endangered
*La Graciosa thistle <i>Cirsium loncholepis</i>	Endangered	Threatened
*Lompoc yerba santa <i>Eriodictyon capitatum</i>	Endangered	Threatened
Parish's checkerbloom <i>Sidalcea hickmanii parishii</i>	Candidate	Threatened
Salt marsh bird's-beak <i>Cordylanthus maritimus maritimus</i>	Endangered	Endangered
*San Joaquin wooly-threads <i>Lembertia congdonii</i>	Endangered	
Seaside bird's beak <i>Cordylanthus rigidus litoralis</i>		Endangered
Ventura marsh milk vetch <i>Astragalus pycnostachyus lanosissimus</i>	Endangered	Endangered
<b>INVERTEBRATES</b>		
Vernal pool fairy shrimp <i>Branchinecta lynchi</i>	Threatened	
<b>FISH</b>		
*Southern California steelhead <i>Oncorhynchus mykiss</i>	Endangered	
*Tidewater goby <i>Eucyclogobius newberryi</i>	Endangered	
Unarmored threespine stickleback <i>Gasterosteus aculeatus williamsoni</i>	Endangered	Endangered, fully protected
<b>AMPHIBIANS</b>		
*Arroyo southwestern toad <i>Bufo microscaphus californicus</i>	Endangered	
*California red-legged frog <i>Rana aurora draytonii</i>	Threatened	
*California tiger salamander (Santa Barbara County population) <i>Ambystoma californiense</i>	Endangered	



Common Name <i>Scientific Name</i>	Federal	State
<b>REPTILES</b>		
*Blunt-nosed leopard lizard <i>Gambelia silus</i>	Endangered	Endangered, fully protected
<b>BIRDS</b>		
American peregrine falcon <i>Falco peregrinus anatum</i>	Delisted	Endangered, fully protected
Bald eagle <i>Haliaeetus leucocephalus</i>	Threatened	Endangered, fully protected
Bank swallow <i>Riparia riparia</i>		Threatened
Belding's savannah sparrow <i>Passerculus sandwichensis beldingi</i>		Endangered
California brown pelican <i>Pelicanus occidentalis californicus</i>	Endangered	Endangered, fully protected
California condor <i>Gymnogyps californianus</i>	Endangered	Endangered, fully protected
California least tern <i>Sterna antillarum browni</i>	Endangered	Endangered, fully protected
Golden eagle <i>Aquila chrysaetos</i>		Fully protected
*Least Bell's vireo <i>Vireo belli pusillus</i>	Endangered	Endangered
Light-footed clapper rail <i>Rallus longirostris levipes</i>	Endangered	Endangered, fully protected
*Southwestern willow flycatcher <i>Empidonax trallii extimus</i>	Endangered	Endangered
Swainson's hawk <i>Buteo swainsoni</i>		Threatened
Western snowy plover <i>Charadrius alexandrinus nivosus</i>	Threatened	
Western yellow-billed cuckoo <i>Coccyzus americanus occidentalis</i>	Candidate	Endangered
White-tailed kite <i>Elanus leucurus</i>		Fully protected
<b>MAMMALS</b>		
*Giant kangaroo rat <i>Dipodomys ingens</i>	Endangered	Endangered
Mountain lion <i>Felis concolor</i>		Fully protected
Ringtail <i>Bassariscus astutus</i>		Fully protected
San Joaquin antelope squirrel <i>Ammospermophilus nelsoni</i>		Threatened
*San Joaquin kit fox <i>Vulpes macrotis mutica</i>	Endangered	Threatened
Southern sea otter <i>Enhydra lutris nereis</i>	Threatened	Endangered, fully protected

## G. Compliance

Compliance with programmatic permits will take place at two levels, one with individual landowners (or organizations), who will be implementing projects on their property, and the other with ~~NRCS and~~ CRCD as the Project sponsor. ~~NRCS and~~ CRCD will be responsible for administering the Project with NRCS technical assistance, while NRCS will be responsible for administering actions involving federal funds. However, individual landowners will be ultimately responsible for complying with conditions of the programmatic permits. Landowners whose projects qualify for the Project, must sign a Cooperator Agreement (see Attachment 6). This agreement acknowledges their responsibility for complying with all of the permit conditions and NRCS design and installation standards and specifications for the practices.

To assist and clarify roles and responsibilities for the Project, NRCS and CRCD will use a manual designed specifically for the Project in Santa Barbara County titled, *Procedures for Complying with Multiple Permits: A Guide for Conservation Planners* based on an existing manual (by the same title) issued for the Santa Cruz County Project in 2005. The overall goal of the manual is to ensure the Project is administered and implemented successfully. Important sections in the compliance manual include:

- a process for ensuring that only those projects that are qualified for the Project are selected;
- conservation practice design and implementation criteria;
- conditions required by the agencies in their programmatic permits;
- information on listed and rare species and sensitive habitats; and
- survey, monitoring, and reporting requirements

Table 5 summarizes the roles and responsibilities of individual landowners (or organizations) and NRCS/CRCD that will help ensure compliance with permit conditions.

**Table 5. Responsibilities of NRCS/CRCD and Landowners under the Project**

	<b>NRCS/CRCD</b>	<b>Landowner (Organization)</b>
<b>Before Construction</b>		
Planning	<u>CRCD decides which projects are eligible for the Project with technical input from NRCS; NRCS and CRCD oversee planning and design</u>	
Contracts	Cost-share contract	Cooperator Agreement
Training	Mandatory for all staff involved with the Project (using the compliance manual)	Mandatory for all landowners, managers, contractors, subcontractors, and organizations involved with the project (using the compliance manual)
Notification	Prepares and submits pre-construction notifications to regulatory agencies	
<b>During Construction</b>		
Monitoring	Monitors project implementation to ensure compliance with standards and design specifications and compliance with permit conditions (other monitors required for listed species protection as specified in biological opinions)	Responsible for compliance with plan standards and design specifications and compliance with permit conditions
<b>After Construction</b>		
Maintenance and Monitoring	Inspects installed projects as needed during the rainy season; performs formal status reviews of projects annually for 5 years (includes status of any required revegetation)	Performs maintenance when required by the practice standard to ensure proper functioning of the practice, including any required revegetation
Reporting	CRCD (with technical input and support from NRCS) prepares and submits annual reports to regulatory agencies	

## **H. Procedures for Non-Compliance**

**Landowners.** NRCS and CRCDC are non-regulatory agencies. Largely because they are non-regulatory, a high degree of trust has been established with the agricultural community, and landowners are more likely to work with NRCS and CRCDC to improve the natural resource conditions on their land. Because it is essential that this trust be maintained, NRCS and CRCDC cannot act in a regulatory capacity and notify permitting agencies of non-compliance with permit conditions. However, if the landowner does not carry out work consistent with NRCS design standards and specifications, including the previously agreed upon permit conditions and environmental protection measures, the following procedures will be followed:

- NRCS or CRCDC will notify the landowner in writing about the problem and work directly with the landowner/manager to try to resolve it;
- In the unlikely event that the landowner still fails to conform, NRCS or CRCDC will notify the landowner that their cost-share contract and/or the Cooperator Agreement is cancelled; if a contract is cancelled, the landowner's actions are no longer covered by the Project's permits and agreements;
- No later than five days after canceling a contract with a landowner, NRCS/CRCDC will notify the regulatory agencies that the contract has been cancelled and will provide the agencies with the landowner's contact information;
- The permitting agencies may follow up with the landowner directly to ascertain the reason for the contract cancellation and pursue any enforcement actions, at their discretion. Contracts may be cancelled for reasons other than non-compliance; *e.g.*, if a landowner changes his/her mind about beginning a project, often due to unanticipated costs, a contract will be cancelled.

**NRCS/CRCDC.** Participating regulatory agencies (at their discretion), may conduct a full evaluation/review of the Project's progress approximately midway through the first five-year period and again at the end of the first term. At those times, the agencies will have the opportunity to recommend changes to the practices or protection measures if they are not providing the level of protection or enhancement originally intended. The Regional Board will take the lead in organizing the Project reviews and be responsible for coordinating with NRCS/CRCDC relative to any proposed Project changes. As a last resort, each permitting agency has the option to not renew its programmatic permit for an additional five years if compliance issues with NRCS/CRCDC arise and cannot be resolved to their satisfaction.

## **2.0 PROJECT LOCATION**

Santa Barbara County encompasses an area of approximately 1.65 million acres (2,737 square miles). Over 90% of the County is open land, with about half that area (750,000 acres) in some form of agriculture (SB County P&D 2000). Most of the farmed land (20% of the County's agriculture) is in the northwestern part of the County; in particular, the Santa Maria Valley and Lompoc Valley, but farming also occurs in the South Coast watershed, especially in the Carpinteria Valley. Grazing land occupies approximately 80% of the agricultural land in the County; significant grazing lands occur in the Santa Ynez Valley, the Cuyama Valley, and along the Gaviota coast. Because agriculture is so widespread, conservation activities installed under the proposed Project are expected to lead to significant water quality and habitat improvements.

The Project will be applicable to all privately owned, agriculturally zoned property within Santa Barbara County, with the following exceptions:

- Property located within the Montecito Community Plan area.
- Publicly owned lands such as Forest Service property, Vandenberg Air Force Base, State and County Parks and the Channel Islands
- Areas within vernal pools, estuaries, lagoons, dunes and beaches

### 3.0 POTENTIALLY SIGNIFICANT EFFECTS CHECKLIST

The following checklist indicates the potential level of impact and is defined as follows:

**Potentially Significant Impact:** A fair argument can be made, based on the substantial evidence in the file, that an effect may be significant.

**Less Than Significant Impact with Mitigation:** Incorporation of mitigation measures has reduced an effect from a Potentially Significant Impact to a Less Than Significant Impact.

**Less Than Significant Impact:** An impact is considered potentially adverse but does not trigger a significance threshold.

**No Impact:** There is adequate support that the referenced information sources show that the impact simply does not apply to the subject project.

### 3.1 AESTHETICS/VISUAL RESOURCES

<b>Will the proposal result in:</b>	<b>Poten. Signif.</b>	<b>Less than Signif. with Mitigation</b>	<b>Less Than Signif.</b>	<b>No Impact</b>
<b>a.</b> The obstruction of any scenic vista or view open to the public or the creation of an aesthetically offensive site open to public view?			✓	
<b>b.</b> Change to the visual character of an area?			✓	
<b>c.</b> Glare or night lighting which may affect adjoining areas?				✓
<b>d.</b> Visually incompatible structures?				✓

**Impact Discussion:**

a,b) Work implemented under the Project may result in temporary adverse effects to the visual setting of a project area during construction due to the presence of construction equipment and disturbed soils and vegetation. However, projects will occur primarily on private agricultural properties and it is anticipated that only a small number of people would be affected by these temporary impacts to the visual character of a site. Additionally, the limits on grading and overall size of the Practices that can be undertaken contained in Table 1 of the Project Description would further limit the potential for adverse visual impacts. New ponds may occasionally be visible from County roads but embankments associated with these ponds will be relatively small and the embankment face will be nearly indistinguishable from the adjacent landscape.

c,d) No glare or night lighting will result with the implementation of work as part of the Project because work will be limited to daylight hours. Additionally, installed practices will be made to look as natural and aesthetically pleasing as possible. In situations where rock is used to stabilize the lower portion of a bank, the soil above the rock and the interstitial spaces between rocks will be revegetated as discussed under the Environmental Protection Measures in Table 3 of the Project Description.

The long-term effects to scenic vistas and the visual character of the Project area would be beneficial. Individual projects are expected to improve an area’s aesthetics by enhancing and restoring vegetation along riparian corridors, reducing the presence of eroding and failing areas on agricultural properties, and improving the aesthetic characteristics of streams.

Because any adverse visual effects will be temporary and localized to a relatively small area on private lands, and the other reasons cited above, visual impacts will be less than significant.

**Mitigation and Residual Impact:** No mitigation is necessary since the project would have less than significant impacts on Aesthetics and Visual Resources.

**Cumulative Impacts:** Since no project specific impacts to Aesthetics and Visual Resources would occur, the Project would not contribute to cumulative impacts to such resources.

### 3.2 AGRICULTURAL RESOURCES

<b>Will the proposal result in:</b>	<b>Poten. Signif.</b>	<b>Less than Signif. with Mitigation</b>	<b>Less Than Signif.</b>	<b>No Impact</b>
<b>a.</b> Convert prime agricultural land to non-agricultural use, impair agricultural land productivity (whether prime or non-prime) or conflict with agricultural preserve programs?				✓
<b>b.</b> An effect upon any unique or other farmland of State or Local Importance?				✓

**Impact Discussion:**

Only beneficial agricultural impacts are anticipated to result from work undertaken as part of the Project.

The Project is a voluntary program for agricultural landowners in Santa Barbara County wishing to protect the resources on their properties by installing one or more of the Practices contained in this Project. One of the goals of this Project is to support the economic viability of agricultural production in the County by assisting landowners wishing to implement erosion control projects that prevent soil loss from agricultural lands.

Because work performed as part of the Project will be voluntarily undertaken by landowners, the Project is not anticipated to conflict with existing zoning for agricultural use, nor is it anticipated to result in the conversion of farmland to non-agricultural uses. In fact, the removal of current disincentives to pursuing erosion control projects on agricultural land achieved by this Project has the potential to increase landowner’s desire to maintain property as agricultural land due to the increased productivity as a result of decreased soil loss.

**Mitigation and Residual Impact:** No mitigation is necessary since the project would have less than significant impacts on Agricultural Resources.

**Cumulative Impacts:** Since no project specific impacts to Agricultural Resources would occur, the Project would not contribute to cumulative impacts to such resources.

### 3.3 AIR QUALITY

<b>Will the proposal result in:</b>	<b>Poten. Signif.</b>	<b>Less than Signif. with Mitigation</b>	<b>Less Than Signif.</b>	<b>No Impact</b>
<b>a.</b> The violation of any ambient air quality standard, a substantial contribution to an existing or projected air quality violation including, CO hotspots, or exposure of sensitive receptors to substantial pollutant concentrations (emissions from direct, indirect, mobile and stationary sources)?			✓	
<b>b.</b> The creation of objectionable smoke, ash or odors?				✓
<b>c.</b> Extensive dust generation?			✓	

**Existing Setting:**

Santa Barbara County is considered in attainment of the state and federal CO standards and federal eight-hour ozone standard, but does not meet the state one-hour ozone standard or the PM10 particulate standard. The Santa Barbara County Air Pollution Control District (APCD) does not yet have enough data to determine the attainment status for either the state or federal standard that became effective in May 2006. Although the state has not yet issued attainment designations, APCD data indicate the area will be considered in non-attainment of this standard. The USEPA officially revoked the federal one-hour ozone standard on June 15, 2005.

**Impact Discussion:**

a-c) *Long-Term Operational Impacts:* An emission of 55 pounds per day or greater of NOx and/or ROCs is considered a significant long term impact on air quality according to Santa Barbara County’s Environmental Thresholds and Guidelines Manual (as revised October 3, 2006) and the APCD. The proposed Project would not generate any additional long term emissions of NOx and/or ROCs. Therefore, the project would have no long term impacts on air quality.

*Short-Term Construction-Related Impacts:* The County does not have a threshold for short-term construction-related NOx and ROC emissions or for PM10 emissions. Nevertheless, short-term construction-related vehicle exhaust emissions are not considered significant because (1) construction vehicle use associated with the proposed Project is anticipated to be minimal and (2) all short-term construction activities in the County contribute only a relatively small portion of the total NOx and ROC emissions in the County. Therefore, construction associated with the Project is not expected to contribute significantly to the current violation of the state ozone standard or violate the federal ozone standard.



Dust emissions generated during earth movement associated with construction activities are not expected to be significant due to:

- the small size of projects
- the majority of projects can be completed with one piece of equipment
- the short duration of construction for individual projects
- the remote nature of most project locations
- soil excavation from a site is generally not stockpiled but is reused in other areas of the project (*e.g.*, as fill to repair gully erosion) and
- exposed soil will not be left unprotected; exposed sites will be planted immediately with plant species from the approved plant list and/or other approved erosion control techniques will be implemented

Dust control measures are considered during the NRCS planning process and will be implemented as needed by NRCS. One or more of the following protection measures (as described in Table 3, Environmental Protection Measures) will be implemented if applicable for specific site conditions and the type of Practices being implemented.

- a) During clearing, grading, earth moving, excavation, or transportation of cut or fill materials, water trucks will be used to prevent dust from leaving the site.
- b) Soil stockpiled for more than two days will be covered, left moist, or treated with soil binders to prevent dust generation
- c) On-site vehicle speeds will be limited to 15 miles per hours or less.
- d) Gravel pads or similar devices will be installed at all access points to prevent tracking of mud on to public roads
- e) Trucks transporting fill material to and from the site shall be tarped from the point of origin.
- f) NRCS staff will ensure that the above measures are implemented on work performed as part of this Project.

**Cumulative Impacts:** Projects which do not exceed the County's 25 pound/day long term air quality impact threshold for NO<sub>x</sub> and/or ROC emissions do not have the potential to result in significant cumulative air quality impacts.

**Mitigation and Residual Impact:**

With the implementation of the Protection Measures contained in Table 3 of the Project Description, the project is not expected to generate significant levels of objectionable smoke, ash or odors and no mitigation is necessary.

### 3.4 BIOLOGICAL RESOURCES

Will the proposal result in:	Poten. Signif.	Less than Signif. with Mitigation	Less Than Signif.	No Impact
<b>Flora</b>				
a. A loss or disturbance to a unique, rare or threatened plant community?			✓	
b. A substantial reduction in the numbers or restriction in the range of any unique, rare or threatened species of plants?			✓	
c. A reduction in the extent, diversity, or quality of native vegetation (including brush removal for fire prevention and flood control improvements)?			✓	
d. An impact on non-native vegetation whether naturalized or horticultural if of habitat value?			✓	
e. The loss of healthy native specimen trees?			✓	
f. Introduction of herbicides, pesticides, animal life, human habitation, non-native plants or other factors that would change or hamper the existing habitat?			✓	
<b>Fauna</b>				
g. A substantial reduction in the numbers, restriction in the range, or impact to the critical habitat of any unique, rare, threatened or endangered species of animals?			✓	
h. A substantial reduction in the diversity or numbers of animals onsite (including mammals, birds, reptiles, amphibians, fish or invertebrates)?			✓	
i. A deterioration of existing fish or wildlife habitat (for foraging, breeding, roosting, nesting, etc.)?			✓	
j. Introduction of barriers to movement of any resident or migratory fish or wildlife species?			✓	
k. Introduction of any factors (light, fencing, noise, human presence and/or domestic animals) which could hinder the normal activities of wildlife?			✓	

#### Existing Plant and Animal Communities and Conditions:

The topography and climate of Santa Barbara County are extremely diverse, and in large part are responsible for the diversity of habitat types and plant and animal species found in the County. There are five major ecological zones and numerous sub-areas within these zones represented in the County. Santa Barbara County is dominated by the Santa Ynez Mountains near the coastal communities, the San Rafael Mountains farther north, which have the highest peaks in the County (over 6,800 feet), and the Sierra Madre Mountains in the northeast portion of the County. The Santa Ynez Mountains are a portion of the Transverse Ranges which are unusual because they are entirely an east-west trending mountain range, one of the few in the United States. The County's geomorphology is strongly influenced by tectonic activity, with sedimentary formations dominating the Transverse Ranges. Soils are highly variable with approximately 90 distinct soil series mapped on private lands in the County.

The climate in the region is Mediterranean, with long dry summers and short, sometimes intense winter storms, which generally occur from December through March. Santa Barbara falls within the Californian floristic province, which is subject to an El Nino/La Nina weather cycle

significantly affecting winter rainfall, causing highly variable rainfall between years. Average annual rainfall ranges from a low of 6 inches in the Cuyama Valley to about 40 inches in the mountains; however, annual precipitation significantly above or below average is common. As a result, stream flow in the County's watersheds is "flashy," rising and falling in response to precipitation, and can vary seasonally by over five orders of magnitude (Boughton, DA. 2005. Contraction of the southern range limit for anadromous *O. mykiss*. NOAA-TM-NMFS-SW FOC-380).

The upland areas within the County are dominated by a mix of chaparral, valley grasslands, oak woodlands, and southern California conifer forests. These upland areas are subject to catastrophic fires.

### **A. Plant Communities of Santa Barbara County**

The assorted topography and soil types characteristic of Santa Barbara County support diverse habitats that in turn support diverse assemblages of species, many of which are protected under the Federal and State Endangered Species Acts. Within the California floristic province are 10 broad native terrestrial plant communities. These are: estuarine wetlands, beach and dunes, riparian forests, coastal prairie, coastal sage scrub, oak woodlands, chaparral, valley grasslands, vernal pools, and southern California conifer forests. Some of the principal plant communities present in the County are summarized below.

#### *Coastal Salt Marsh (estuarine wetlands)*

Coastal salt marshes are restricted to the upper intertidal zone of protected shallow bays, estuaries, and coastal lagoons. The Goleta Slough supports a larger and more diverse plant and animal community than the other three sloughs in the County (Surf, Devereux, and Carpinteria). Species are largely determined by the frequency and duration of tidal flooding and nutrients received by freshwater runoff. Plants in this community are adapted to high levels of salinity, and are impacted by sediments from upstream filling in these areas (and thereby converting salt marsh to upland habitat). Characteristic plant genera include *Salicornia*, *Suaeda*, *Distichlis*, and *Frankenia*. Wildlife species that depend on this habitat include the light-footed clapper rail, Belding's savannah sparrow, and tidewater goby (brackish water).

#### *Dunes and Coastal Strand*

Dunes and their associated biota are an extremely delicate and unstable environment, with the only stabilization of the constantly moving sands derived from the relatively sparse vegetation adapted to these sites. Dunes in Santa Barbara County are the Devereux Dunes, Vandenberg dunes, Oso Flaco Dunes (north of Point Sal to the Santa Maria River), and Surf Dunes. The dominant native and introduced plant species in this community are *Franseria chamissonis*, *Lupinus spp.*, *Abronia spp.*, *Oenothera cheiranthifolia*, *Fragaria chiloensis*, and *Mesembryanthemum spp.*

#### *Freshwater Marsh*

Freshwater marshes are extremely uncommon in the County, scattered along the coast and the major rivers. This plant community is characterized by cattails, rushes, and sedges and supports a variety of waterfowl and other birds, frogs, and aquatic reptiles.

### *Chaparral*

Chaparral is composed mainly of woody, evergreen shrubs and occupies most of the hills and lower mountain slopes of the County. Chaparral plants form dense thickets and are adapted to little water and to wildfires. Dominant plant species are manzanita (*Arctostaphylos*), coyote brush, chamise (*Adenostema*), *Ceanothus*, monkey flower, and sage species (*Salvia*). This plant community is comprised of a number of different types of chaparral. Central maritime chaparral, also known as Sandhill or Burton Mesa chaparral, is a unique form of chaparral highly restricted in its distribution and which supports a high number of endemic plants in the County.

### *Coastal Sage Scrub*

This plant community is comprised of drought-tolerant, shallow-rooted shrubs such as California sagebrush (*Artemisia californica*), black, purple, and white sage (*Salvia mellifera*, *S. leucophylla*, *S. apiana*), California buckwheat (*Eriogonum fasciculatum*), and California encelia (*Encelia californica*). Coastal sage scrub is highly adapted to fire and is limited to the lower elevations of both the coastal and interior regions of the mountains.

### *Grassland*

Much of the County's native grasslands have been converted to grazing and are now dominated by introduced annual grasses such as fescues and bromes. Native grasslands are now very rare throughout California and within the County. Typically distributed in patches, the remaining native grasslands (located in the City of Santa Barbara, on the coast bluffs west of Ellwood Pier, and on the Santa Ynez Ridge) are dominated by perennial bunch grasses such as purple needlegrass (*Stipa pulchra*). The only locations in the County where native grasses are not considered rare is inside Gaviota State Park and on the Channel Islands.

### *Oak Woodlands and Forests*

Three types of oak woodlands occur in the County – Valley Oak, Coast Live Oak, and Blue Oak Woodlands. Valley Oak Woodland is characterized by scattered trees surrounded by grassland, whereas trees in Live Oak and Blue Oak Woodlands tend to be more closely spaced. The interior valleys of the County support grasslands and Valley Oak Woodlands (*Quercus lobata* and *Q. agrifolia*); Coast Live Oak forms dense groves of trees on north-facing slopes and is the primary oak species found in southern oak woodlands. The foothills of the inner coast ranges are occupied by Blue Oak (*Quercus douglasii*), coast live oak and digger pine (*Pinus sabiniana*). Other species associated with oak woodlands include redberry, coffeeberry, toyon, mistletoe, poison oak, forbs, and grasses. These communities form the basis of a complex and interconnected food chain that supports diverse wildlife populations. In addition to oak forests, pine and other coniferous forests also occur in the County mainly at higher elevations on U.S. Forest Service land.

### *Riparian Woodland*

Riparian woodland is generally considered to be the terrestrial or upland area adjacent to fresh water such as the banks of rivers, creeks, and streams, the shores of lakes or ponds, and at springs and seeps. It occurs in and along the County's four major rivers (Santa

Ynez, Santa Maria, Cuyama, and Sisquoc) and in and along the County's many creeks and streams, arroyos and barrancas. Riparian woodland is a fairly restricted community because it is dependent on the presence of or proximity to non-seasonal water courses; however, surface water is not always a requirement and may be substituted for by underground water in some places. Typical species of this community include *Platanus racemosa* (western sycamore), *Populus fremontii* and *trichocarpa* (fremont and black cottonwood), *Alnus rhombifolia* (white alder), *Juglans californica* (black walnut), *Acer macrophyllum* (big-leaf maple), *Umbellularia californica* (California bay laurel), *Salix spp.* (willows), *Baccharis salicifolia* (mule fat), and smaller plants such as *Epipactis gigantea* (stream orchid), *Toxicodendron diversilobum* (poison oak), *Rubus ursinus* (California blackberry), and *Mimulus cardinalis* and *guttatus* (scarlet and creek monkeyflower). Riparian habitat supports diverse fish and wildlife populations, including migratory song birds, the resident County deer population, and several listed species. Additionally, riparian habitat and stream courses serve as migratory and dispersal avenues for many mammals, reptiles, amphibians, and fish species. Much of the County's streams and streamside vegetation have been degraded by past and current land use practices.

## **B. Listed Species and Critical Habitat in Santa Barbara County**

Santa Barbara County is home to a variety of Federal and State listed threatened and endangered species. The following are listed species that may be affected by the Project. A complete list of threatened and endangered species occurring in Santa Barbara County is included as Table 4 of the Project description, and descriptions of the County's four major watersheds are included in Appendix B.

**PLANTS:** California jewelflower (*Caulanthus californicus*), Gambel's watercress (*Rorippa gambelii*), Gaviota tarplant (*Deinandra [=Hemizonia] increscens villosa*), La Graciosa thistle (*Cirsium loncholepis*), Lompoc yerba santa (*Eriodictyon capitatum*), San Joaquin wooly-threads (*Lembertia congdonii*)  
**FISH:** Tidewater goby (*Eucylogobius newberyii*), Southern California Coast Steelhead (*Oncorhynchus mykiss*)  
**AMPHIBIANS:** Arroyo southwestern toad (*Bufo microscaphus californicus*), California red-legged frog (*Rana aurora draytonii*), California tiger salamander, Santa Barbara County population (*Ambystoma californiense*)  
**REPTILES:** Blunt-nosed leopard lizard (*Gambelia silus*)  
**BIRDS:** Least Bell's Vireo (*Vireo bellii pusillus*), Southwester willow flycatcher (*Empidonax traillii extimus*)  
**MAMMALS:** Giant kangaroo rat (*Dipodomys ingens*), San Joaquin kit fox (*Vulpes macrotis mutica*)

### **Impact Discussion:**

a-k) Work undertaken as part of the Project will occur only in disturbed or degraded areas on agricultural property where the land is actively managed for farming or ranching. The intent of the Project and the associated Practices is to reduce erosion and sedimentation and thereby improve the health of natural resources (specifically, water quality, native riparian habitat, and habitat for listed species), while helping maintain agricultural productivity. However, any

activity that involves work in an area with sensitive resources, no matter what the intent, has the potential to negatively affect those resources.

Possible negative impacts in the short-term stem primarily from site disturbance during Practice installation (soil excavation or grading, preparation of the ground for seeding and mulching, stream bank and channel stabilization, construction of earthen embankments, placement of fill, vegetation removal), trampling or crushing of vegetation from equipment and foot traffic, and poor onsite management practices that could further degrade water quality. The potential for adverse impacts is partially offset by the fact that all work will occur in already disturbed or degraded areas as well as by the long-term benefits expected to result from the proposed projects.

The Environmental Protection Measures combined with the conditions and limitations placed on the Conservation Practices (Table 1 of the Project Description) will avoid or minimize most potential impacts to plants, animals, and sensitive habitats associated with installation of the Practices. These Protection Measures apply to all work undertaken as part of the Project and are an integral part of the Project Description.

The Environmental Protection Measures are organized into tiers, with increased potential for project impacts triggering stricter levels of protection. For example, TIER I projects include upland practices where no listed species or potential habitat occurs. TIER II projects may take place in streams but no listed species or potential habitat can be present. Surveys by certified conservation planners trained by qualified individuals are required to conclude listed species are not present and would not be impacted. Projects where listed species are known to occur (either by surveys or occurrence data) or where suitable habitat exists are automatically placed in TIER III or TIER IV. TIER IV projects include all Practices with structural components (*e.g.*, rock incorporated into bank protection) and projects which are considered more complex (*e.g.*, replacing an existing barrier with a fish-friendly crossing). TIER IV projects have the strictest protection measures and level of review by the associated agencies.

Following is a summary of Protection Measures pertinent to biological resources. A detailed description of the Project's Environmental Protection Measures is included in Table 3 of the Project Description.

- **Summary of protection measures to avoid and minimize adverse effects associated with loss or degradation of habitat**
  - Site disturbance, including staging and access areas and disturbance or removal of native vegetation will be limited to the minimum area necessary to achieve the project goals; staging and access areas will be sited on previously disturbed areas to the extent possible and will not exceed 0.25 acre for any one project.
  - Native grasses that are part of a native grassland (as defined by the Department of Fish and Game) shall be avoided; patches of native grasses that are clearly isolated and not a part of a native grassland or other sensitive habitat (vernal pools, oak woodland/forests, wetlands, riparian habitat), shall be avoided to the maximum extent possible. If patches of native grasses cannot be avoided completely, no more than 0.24 acre shall be disturbed for any one project.

- Projects may be sited in oak woodlands but shall not result in habitat fragmentation, loss of canopy cover, changes in hydrology, or impairment to wildlife movement. Impacts to individual oak trees shall be avoided to the maximum extent possible. Removal of oak trees is not permitted. Where the root zone cannot be avoided completely, no more than 20% of the root zone shall be affected by project installation.
- Upland projects that are part of a grazing management plan (cross-fencing and stockwater systems) will offset any disturbance to individual native grasses or oak trees by eliminating overgrazing and enhancing adjacent riparian areas.
- Projects will avoid direct and indirect impacts to vernal pools, vernal pool complexes, seasonal wetlands, and other isolated wetlands: no project will result in decreased water flow, topographic changes, or restricted wildlife access/ movement to or within these habitats.
- Disturbance or removal of native riparian vegetation in the bed, channel, or bank will be avoided to the maximum extent possible; when necessary to install practices, disturbance or removal may occur as follows: A maximum of 0.10 acre of native riparian habitat may be removed from a stream's bed, channel, or bank for any given project. Where the area contains a 50/50 mix of native and invasive species, up to 0.25 acre may be removed. If the area is >90% non-native invasive species, up to 2.5 acres of vegetation may be removed.
- Trimming or removal of native trees 3" or greater diameter at breast height (dbh) is not permitted, except willows, for which trimming or removal is not permitted for trees 4" or greater dbh. For permitted removal of any native tree, the root structure of the tree will be left intact unless otherwise authorized by DFG on a case by case basis. Non-native trees that provide habitat for special status species will not be removed. Diseased or dead trees (native and non-native) may only be removed if causing bed or bank erosion.
- Removal of native riparian vegetation shall be replaced onsite at a minimum 1:1 replacement ratio. Percent cover of native plantings (success criteria) shall be determined by the pre-construction condition of native riparian plant cover (e.g., if pre-construction native plant cover is 50%, re-vegetation requirements shall be at least 50%). ~~a case by case basis in collaboration with DFG staff or another qualified individual. Success criteria shall be based on the existing or potential condition of native habitat prior to construction, or on the existing or potential condition of native habitat upstream or downstream of the project reach. If native riparian vegetation is absent from the project site, then appropriate species from the Approved Plant List shall be planted. If riparian habitat exists immediately up- or downstream of the project site, and site conditions indicate the potential to restore riparian vegetation (e.g., hydrologic regime), then percent cover of native riparian species shall be determined on a case-by-case basis with DFG or another qualified individual.~~
- ~~NRCS/CRCO will design and implement re-vegetation plans, when required, to permanently restore sites to their pre-construction condition or better, with the goal of achieving a more natural state. The success criteria (percent cover and survival of native plantings) will be determined by DFG on a case-by-case basis and will be based on the existing or potential condition of native habitat at the project site or up- or downstream of the project site prior to~~



~~construction.~~

- Native plants characteristic of the local habitat type will be the preferred alternative for revegetation. Non-native, non-persistent grass mixes (*e.g.*, barley grass) may be used as fast establishing temporary cover for erosion control while natives are establishing.
- Work in flowing or ponded water is not allowed, except as follows:  
If temporary or intermittent flows exist onsite, construction shall occur when the stream is dry. If groundwater seeps into the work area, the site shall be dewatered.
- If perennial flows exist onsite, the work area shall be isolated from flowing water by temporarily diverting water around the work site in a manner that maintains downstream flows during construction and minimizes siltation. Passive diversion is preferred over pumping. If pumping is used, additional requirements shall apply, as specified by DFG in the Streambed Alteration Agreement. Excavating a channel for the purpose of isolating the workspace from flowing water is not allowed.
- **Summary of protection measures to avoid and minimize adverse effects to listed species, rare species, and species of state and local concern.**
  - Species-specific protection measures are being developed in collaboration with agencies with jurisdiction over protected species. In addition to the general protection measures contained in the Project Description, all terms and conditions in the biological opinions issued by FWS and NMFS and conditions in the streambed alteration agreement issued by DFG related to state-listed species shall be implemented.
  - Initial site assessments shall be carried out by a certified conservation planner (individuals who have completed a formal training process and have obtained certification) to evaluate whether characteristic habitat for listed species, rare species, or species of state or local concern could occur or does occur in proposed work areas. If rare species or species of state or local concern are found in the project area, they shall be subject to protection measures outlined by DFG and/or the California Native Plant Society's (CNPS) Mitigation Guidelines.
  - NRCS/CRCO will submit to FWS, NMFS, and DFG the names and credentials of individuals under consideration to do species-specific surveys, capture and relocate individuals, and monitor during project installation at least 15 days prior to the onset of activities that they are being authorized to conduct. The qualified individual will demonstrate experience in handling sensitive species, be familiar with the species' habitat requirements, and have the necessary permits for surveying and handling the species, as applicable
  - If habitat for listed species is found in the project area, a qualified individual (approved by the FWS, NMFS, and/or DFG) shall complete a pre-construction survey to determine if species or habitat will be disturbed by planned activities. This individual shall use approved protocols to conduct the surveys of each site identified during the initial assessment as containing potential habitat **OR** assume presence of the species if representative habitat is present (in lieu of conducting protocol-level surveys).

- The general construction season shall be May 15<sup>th</sup> to October 31<sup>st</sup>. If projects are installed in streams, work shall not begin until after July 31 to avoid potential impacts to breeding riparian birds, unless surveys are conducted. If construction must occur prior to July 31, a qualified individual, approved by DFG and/or FWS, shall conduct pre-construction surveys for breeding birds or bird nesting activity. If any active nests are found, a 300-foot exclusion zone (500 feet for raptors) shall be established and maintained to protect the nest until the qualified individual verifies that birds have fledged or the nest is abandoned. NRCS/CRCO may request exceptions to size of the exclusion zones from DFG on a case-by-case basis.
  - If water is present at work sites, it must be isolated from the work area by installing a temporary diversion system; diversion of flowing water will be done in a manner that maintains downstream flows and minimizes siltation. A qualified individual, approved by FWS, NMFS, and/or DFG, will assist with the design and implementation of the diversion, capture fish or wildlife, and move them to a pre-arranged, safe location prior to construction; this individual will monitor the site during construction to ensure individuals do not re-enter the work area. The qualified individual will be authorized to halt work if listed species are at risk until adequate protections can be maintained.
  - Work will not be conducted during breeding activities for listed species occurring in the project area (as outlined in the terms and conditions of the biological opinions and streambed alteration agreement for individual species). Avoiding work when these species are active, as proposed under the Project, minimizes many of the potential impacts.
- **Summary of protection measures to avoid and minimize adverse effects associated with use of heavy equipment, vehicles, and workers.**
    - Only handheld equipment (loppers, weedwhackers, chainsaws) will be used to trim or remove vegetation within the channel or on the bank when required prior to installing conservation practices, for removal of invasive plant species, or for removing limited amounts of vegetation associated with some of the practices.
    - If heavy equipment is required, it will be operated from the top of creek banks or on terraces above the creek bed whenever possible (pre-approval required by DFG for using heavy equipment in the channel). If access to the work site requires heavy equipment to travel across a stream, a rubber tired loader/backhoe is the preferred vehicle; tracked vehicles may be used as a last resort.
    - All project workers and persons associated with the project, including participating landowners, managers, contractors, and sub-contractors will attend a training prior to any ground-disturbing activities. The training will include information about listed species that could be encountered and protection measures contained in the biological opinions and streambed agreement.
    - Temporary fencing and/or staking and flagging sensitive areas will help deter inadvertent impacts to species or habitat due to workers going into areas that are “off limits.”

- A qualified individual, approved by FWS, NMFS. and/or DFG will have authority to halt work if necessary to ensure compliance and protect listed species and habitat during construction.
  
- **Summary of protection measures to avoid and minimize adverse effects associated with surveying and monitoring activities**
  - NRCS and CRCDD staff, who will be conducting initial site assessments, will be trained and familiar with the protected species and the preferred habitats of the species, be knowledgeable in the use of data tools such as CNDDDB, and be trained by a qualified individual in general survey techniques to avoid potential impacts to listed species, state and local species of concern, and native habitats.
  - NRCS/CRCDD will submit to FWS, NMFS. and/or DFG the names and credentials of individuals under consideration for species-specific surveys, capture and relocation of individuals, and monitoring during project installation at least 15 days prior to the onset of activities that they are being authorized to conduct. The qualified individual will demonstrate experience in handling sensitive species, be familiar with the species' habitat requirements, and have the necessary permits for surveying and handling the species, as applicable.
  - A training session will be conducted for NRCS and CRCDD staff involved with any phase of the Project. The training will be based on the NRCS handbook, *Procedures for Complying with Multiple Permits: A Guide for Conservation Planners*. Measures required to avoid and/or minimize impacts to biological and cultural resources will be emphasized.
  
- **Summary of protection measures to avoid and minimize adverse effects associated with implementation of stream bank protection, grade stabilization structures, and replacement or modification of steelhead barriers.**
  - Bank protection methods shall be selected in the following order of decreasing preference: 1) vegetation only; 2) bioengineering methods in which vegetation is incorporated with natural type structural components such as woody branches, natural rock, logs, natural fibers and geotextiles, and biodegradable temporary geotextiles; 3) bioengineering methods with incorporation of toe rock as described Regional General Permit 70 issued by ACOE; and 4) rock above the toe with incorporation of native plantings. If rock is required, the minimum amount needed to achieve the project goals shall be used. Use of rock shall conform to the description and size limits contained in the Stream Bank Protection practice.
  - Channel stabilization may require grade stabilization structures for repair of large gullies. If rock is required, the minimum amount needed to achieve the project goals shall be used. Use of rock shall conform to the description and size limits contained in the Grade Stabilization Structure practice
  - Evaluating stream bank protection incorporating rock, grade stabilization structures, and stream crossing replacement or modification will include “A *Primer on Stream and River Protection for the Regulator and Program Manager*” (RWQCB, San Francisco Bay Region, 2003) as an assessment tool. This

evaluation includes potential effects up- and downstream, flow conditions that could result in increases in erosion, deposition, or flooding; and creation of stable channel conditions appropriate to the site, among others.

- Projects for stream bank protection requiring rock above the toe and projects requiring rock grade stabilization structures shall require review and approval on a case-by-case basis by DFG and the Regional Board.
- ~~Projects for stream bank protection requiring the incorporation of any rock (including toe rock), projects requiring rock grade stabilization structures, or projects for replacement or modification of stream crossings shall require separate review and approval on a case-by-case basis by County Planning and Development (P&D) and the CA Coastal Commission (CCC) (if in the coastal zone). NRCS/CRCDD recommends that this review include a visit by P&D and CCC or their designated agent(s) to proposed project sites. P&D and CCC staff would schedule the on-site review with NRCS within 21 working days after the preliminary PCN is sent. P&D and CCC shall provide NRCS with written comments within 30 days of the site visit (or within 21 working days after PCNs are sent without participation in a site visit), recommending any additional protection measures and/or ways to change the scope of the project so that it can be implemented under the program. NRCS/CRCDD shall incorporate agency recommendations into the project description and prepare and circulate a final PCN. Work may begin 10 days after the final PCN is sent. If suggested changes cannot be incorporated, P&D and CCC may exclude an individual project from the Project and require application of an individual permit. If P&D and CCC are considering dropping a project, a site visit shall be required prior to their final determination. If a project is dropped, the landowner would then apply for individual project permits from P&D (including a coastal development permit, if appropriate).~~
- **Summary of procedures for project planning, design, notification, review, and reporting.**
  - At a minimum, project design, implementation, monitoring, and maintenance will follow the mandated 9-step NRCS planning process. If work is to be performed in steelhead habitat, NRCS/CRCDD shall use other appropriate planning tools such as the *California Salmonid Stream Habitat Restoration Manual* (DFG), *Culvert Criteria for Fish Passage* (DFG, April 2003), and *Guidelines for Salmonid Passage at Stream Crossings* (NMFS, September 2001). If work includes rock stream bank protection, grade stabilization structures, or replacement/ modification of barriers, the “*Primer on Stream and River Protection*” (RWQCB, San Francisco Bay Region, 2003) will be added as a planning tool.
  - For Practices installed in uplands where listed species would not be impacted, NRCS/CRCDD will provide electronic pre-construction notification to jurisdictional agencies with information including project location and purpose, tier the project falls under, Practices to be implemented and practice dimensions, site conditions, and survey results. Work may begin 10 working days after e-notification is sent, absent an objection on the appropriateness of tier placement. If an objection is raised regarding tier placement, DFG or FWS will make the final determination.

- For practices installed in streams, NRCS/CRCO will provide a written preliminary pre-construction notification to jurisdictional agencies containing site-specific information for review and approval. The agencies will comment or recommend revisions within 21 working days. NRCS/CRCO will incorporate agency recommendations into the project and send a final pre-construction notification; work may begin 10 working days after the final notification is sent. The notification will include a description of any proposed water diversion, capture and relocation procedures if required, details on listed species/habitat present, potential impacts to listed species/habitat, and planned procedures (outlined in the biological opinions and streambed alteration agreement) to avoid and minimize impacts on the species. Notification procedures for practices that include rock stream bank protection, grade stabilization structures, or replacement/modification of barriers are given in Section D, above.
- NRCS/CRCO will provide a post-construction annual report to all permitting agencies by January 31 for those projects completed the prior year.
- **Summary of additional measures associated with each conservation practice to avoid and minimize adverse effects**

For each conservation practice described in Table 1 of the Project description, additional conditions are required, including size limitations for each installed practice. A separate table of size limits for each practice is provided in Appendix A, as Attachment 2). **Below is a list of the additional requirements for each practice.**

#### 1. Access Road Improvements

- This practice is used only on existing access roads, with the following exception: an existing road may be relocated away from a natural watercourse in order to plant riparian vegetation as part of a stream corridor restoration plan; the preferred location of a new road is, in decreasing order of preference: 1) outside of a 100 foot setback; or 2) as far back as possible from the watercourse within a 100 foot setback. New roads outside or within a 100 foot setback will not be placed on slopes greater than 20%.
- Access road improvements will be performed only on private roads that do not serve as the primary access to habitable structures, unless the private road is the only access to the farm/ranch.
- This practice does not include addition of asphalt or concrete to existing roads.
- This practice does not include widening roads or increasing their weight-bearing capacity.
- This practice does not include construction of all-weather roads, fire break roads, or logging roads.
- Road improvements are modeled on the “*Handbook for Forest and Ranch Roads: A Guide for planning, designing, constructing, reconstructing, maintaining and closing wildland roads,*” by Weaver and Hagens. This manual contains descriptions of methods and designs to improve and maintain rural roads to correct problems associated with poor road placement and

excessive runoff and erosion.

- Improvements carried out under this practice will not be done for the purpose of accommodating future development or as a precursor to intensification of land use.

## 2. Diversion (upland flow interceptors)

- Each diversion must have a safe and stable outlet that conveys runoff to a point where outflow will not cause damage to a natural watercourse. Vegetative outlets or sediment basins, when required, will be installed and established prior to installation of a diversion.
- This practice **does not** involve the diversion of water from a waterway or redirection of flow to a different waterway.
- This practice **does not** result in a change in volume of flow or flow reduction to surface waters.
- Diversion of upland water **will not** prevent entry into a wetland or convert a wetland by changing the hydrology.

## 3. Filter Strip

- Filter strips may be installed within a 100 foot setback; however, existing riparian vegetation will not be removed in order to install a filter strip.
- Vegetation planted for a filter strip will be non-invasive species chosen from the approved plant list.
- Filter strips may contain non-native plant species within a 100 foot setback only under the following conditions: 1) existing cultivated or range land is already within the setback or at the immediate edge of the setback; 2) the filter strip will be installed outside the edge of existing riparian vegetation.

## 4. Grassed Waterway

- Grassed waterways will not divert water out of the natural sub-watershed.
- Rarely, grassed waterways may be installed within a 100-foot setback, however, existing riparian vegetation, if present, will not be removed in order to install a grassed waterway.
- Vegetation planted for a grassed waterway will be non-invasive species chosen from the approved plant list.
- Grassed waterways may contain non-invasive plant species within a 100 foot setback only under the following conditions: 1) existing cultivated or range land is already within the setback or at the immediate edge of the setback; 2) the grassed waterway will be installed outside the edge of existing riparian vegetation.

## 5. Irrigation System and Tailwater Recovery

- Nutrient management measures, pest management measures, and irrigation system management are an essential component of this practice, and will be planned and implemented to limit chemical-laden tailwater as much as

practical.

- Basins and pumphouses may be placed within a 100-foot setback, but only when the farmable or grazing area is already within a 100-foot setback; existing riparian vegetation will not be removed in order to install a tailwater recovery basin or pumphouse.
- This practice may include pump house structures; when required, these will not exceed 120 ft<sup>2</sup>.
- All pump intakes are screened.
- Storage basins will be sized to provide adequate retention time for the breakdown of chemicals contained in runoff.
- Seepage of chemical-laden water from a storage facility will be controlled to the extent possible by using natural soil liners, commercial liners or other approved methods.

#### 6. Pipeline

- This practice will not provide water for human consumption, recreation, or construction activities.
- This practice will rely on an existing source of water supply.
- Drafting of creek surface water is not allowed; pumping of underground water must be from a well or wells within the maximum permitted rate under a landowner's valid water rights permit.
- If booster pumps are required, pumps will not be located within a 100 foot setback, except for pumps associated with existing wells; any new pump house will not be greater than 12 feet high and will be constructed of non-reflective material.
- If installed in a stream, this practice will not include installation of grouted rock, headwalls or the like.

#### 7. Ponds (new)

- New ponds will be installed offstream, on rangeland located in upland areas; water will be supplied only from rainwater or sheet flow (no groundwater pumping); and NRCS assumes liability for proper functioning of engineered embankments and follows the NRCS review and certification process.
- This practice will not provide water for irrigation, human consumption, recreation, or construction activities.
- Excavated material spread on adjacent uplands will not exceed 1 foot in height.
- Pond construction will require a landowner have a valid water rights permit. If a landowner does not have a valid water rights permit, this practice will not be allowed under the permit coordination program.
- DFG and FWS will condition activities to avoid and minimize potential impacts to listed species; landowners assume responsibility for creating new habitat for listed species.



## 8. Sediment Basin

- Sediment basins **will not be constructed in a stream channel** or other permanent water body.
- Basins near watercourses shall be located at least 100 feet from the top of creek bank or the edge of riparian habitat, whichever is further, to the maximum extent feasible.
- Basins may be placed within a 100-foot setback, but only when the farmable area or grazed area is already within a 100-foot setback; existing riparian vegetation will not be removed in order to install a sediment basin.
- Basins are usually partially below grade and embankments are planted with appropriate vegetation.
- Basins are designed to release water at a natural flow rate (often by installing an *Underground Outlet*, see below).
- When a basin outlets directly to a natural watercourse, appropriate energy dissipaters are installed to slow velocities and prevent scour. These structures will not include grouted rock, headwalls and the like installed below the ordinary high water mark.

## 9. Underground Outlet

- Underground Outlets may be used with Diversions, Grassed Waterways, and/or Sediment Basins to address surface erosion; see descriptions and maximum dimensions associated with those practices.
- Where conditions allow, and to the maximum extent feasible, outlets shall not be constructed on or near creek banks or watercourses.
- When a pipe outlets directly to a natural watercourse, appropriate energy dissipaters are installed to slow velocities and prevent scour. These structures will not include grouted rock, headwalls and the like installed below the ordinary high water mark.

## 10. Channel Stabilization

- Allowable structures include loose rock checks, rock buried at grade (keyways), timbers, and willow layering.
- Concrete, grouted rock, and gabions are not allowed.
- Planting native vegetation on the banks is incorporated with this practice.
- Removal of accumulated sand or sediment that has caused the channel to become plugged will be permitted **one time only at any given location** when causing active bank erosion or threatening infrastructure. Routine maintenance involving dredging of a waterway is not permitted.

## 11. Grade Stabilization Structures

- This practice falls into Tier IV of the Environmental Protection Measures. See Table 3 for additional conditions.
- Structures installed above grade **will not be installed in steelhead streams.** Keyways (rock buried at grade) are allowed in steelhead streams.
- Structures installed above grade **will not be installed in the coastal zone.**

Keyways (rock buried at grade) are allowed in the coastal zone.

- Structures will not impede wildlife movement.
- Structures will be installed only when other channel stabilization measures are not feasible.
- Structures may include loose rock checks, timbers, and willow layering.
- Concrete, grouted rock, and gabions are not allowed.
- This practice incorporates planting native vegetation on channel banks.

#### 12. Limited Vegetation Removal to Minimize Erosion

- Hand tools will be used whenever possible to remove debris or perform selective trimming; heavy equipment in a channel will only be used to remove large objects (*e.g.* cars, appliances, concrete) when access with a crane is not possible from the top of the bank; approval by DFG of use of heavy equipment in the channel shall be required on a project-specific basis.
- Trimming willows, if required, will be accomplished in a way that retains a shaded tunnel-like effect.
- Whenever possible, willows will be limbed up into single trunk trees to reduce channel obstruction.
- Removed willow and cottonwood cuttings will be used on-site for erosion protection and to interplant open areas to provide shade and cover.
- Habitat forming elements that provide cover, food, pools, and water turbulence, when present, will be retained when not causing bank or bed erosion, or replaced in a nearby stream location where they will not cause bed or bank erosion.

#### 13. Critical Area Planting

- Native plants characteristic of the local habitat type will be used for this practice within the stream corridor, with the following exceptions: non-persistent, non-invasive grass species such as barley grass and others from the approved plant list may be used as nurse crops or for temporary erosion control benefits until natives are established. Non-native plants from the approved plant list may be installed in upland areas to repair degraded sites.
- When installing or maintaining this practice above the ordinary high water mark, a filter fabric fence, fiber rolls and/or rice or straw bales will be used, if needed, to keep sediment from flowing into the adjacent water body; when vegetation is sufficiently mature to provide erosion control, it may be appropriate to remove these structures.

#### 14. Restoration and Management of Declining Habitats

- Removal of invasive plant species will be done by hand; any use of herbicides will follow approved manufacturer protocols and limitations by regulatory agencies (see General Protection Measures, Table 3).
- Pond restoration will require a landowner have a valid water rights permit. If a landowner does not have a valid water rights permit, pond restoration will not be allowed under the permit coordination program.

- Landowners assume responsibility for creating new habitat for listed species.
- Sediment removal/maintenance will occur when the pond is dry or when stream flow is at its lowest level.
- A percentage of the vegetated shoreline of the pond will be left intact, based on how much habitat is currently present.
- Pond embankments will be vegetated with native plants appropriate to site conditions if in a stream; non-invasive plants from the approved plant list may be used in upland areas.
- During pond re-grading, a shallow bench/terrace around the pond will be left intact or installed if none exists.
- The minimum grade of finished slopes for ponds will be 2:1.

#### 15. Stream Bank Protection

- All bank protection projects are carefully analyzed for cause. Banks will be stabilized only if they are the source of excessive erosion and sediment yields to streams or to protect infrastructure such as roads, culverts, or residences.
- Stabilizing banks using vegetation and bioengineering methods is the preferred option (may include toe rock as specified Regional General Permit 70 issued by ACOE); using rock above the toe may be needed in certain circumstances but will require additional agency review (see Table 3, Environmental Protection Measures, Tier IV).
- Grouted rock and concrete are not permitted.
- If rock is used above the toe, native riparian vegetation grown from plants in the watershed vicinity and appropriate to the site conditions will be incorporated within and above the rock.

#### 16. Stream Habitat Improvement and Management

- Barrier removal or modification will be designed and implemented in accordance with DFG's *California Salmonid Stream Habitat Restoration Manual* and in coordination with NMFS.

#### 17. Stream Crossing

- This practice falls into Tier IV of the Environmental Protection Measures. See Table 3 of the Project Description for additional conditions.
- In steelhead streams, bridges, bottomless arch culverts, embedded culverts, or other fish-friendly designs are required.
- Bridges will not be replaced with fords or culverts.
- The maximum grading limits for this practice (1000 cy), includes all placement of fill associated with bridge or culvert construction, including, but not limited to, bridge abutments/piles, wing walls, bridge deck, rock slope protection, and minor road realignments. Actual project size for excavation and grading may be larger than 1000 cy based on the size of the barrier that requires removal prior to installing a culvert or bridge and/or potential need

for instream re-grading and/or placement of keyways (at-grade structures for channel stabilization) up- or downstream of the crossing (see Stream Habitat Improvement and Management and Channel Stabilization practices).

- Culvert and bridge projects will require prior review and approval by the following County and City departments: Flood Control District, Building and Safety, appropriate Fire Departments. Any additional conditions required by these departments will be incorporated into the project design.

#### 18. Structure for Water Control

- ~~Structures **will not** be installed where they could adversely impact wetlands or water related wildlife habitats.~~
- New culverts **will not** be installed in perennial streams.
- New culverts will only be installed in drainages that have runoff rates of 80 cubic feet per second (cfs) or less for a 10 year, 24 hour storm event. If runoff rates exceed that amount, new culverts will require individual permits.
- Replacement of existing culverts may occur in perennial streams and may include replacing undersized, eroding culverts with properly sized culverts.
- Other water control structures: Pump boxes are installed within existing irrigation systems; for example, to pump water from a tailwater recovery basin back into the irrigation system.

#### **Summary of Project Benefits to Biological Resources**

The Project is not expected to result in further degradation of habitat. The current complex, time-consuming and often multi-agency permit process is a great disincentive to landowners interested in voluntary restoration efforts on their property and results in many beneficial projects not being attempted or, sometimes worse, work being performed by well-meaning landowners, but without the benefit of professional planning and design, and without necessary oversight. The implementation of this Project would coordinate the permit process for environmentally beneficial conservation projects and is expected to result in an increased number of quality projects that reduce non-point source pollution, improve conditions of currently degraded areas, and enhance habitat.

Habitat restoration activities undertaken as part of the Project will improve wildlife corridors by enhancing habitat features such as riparian vegetation. Improving riparian habitat is central to the purpose of the Project. The Practices will improve both the quantity and quality of riparian habitat. Practices that will enhance riparian habitat include: critical area planting, pipelines, stream habitat improvement and management, stream bank protection, restoration and management of declining habitats, and stream channel stabilization. These Practices will improve the quality of riparian areas by stabilizing eroding soils in riparian areas, planting native riparian vegetation in degraded areas, removing invasive plant species, reducing livestock reliance on streams as primary water sources, and managing sources of erosion that can accumulate in riparian areas.

Another long-term positive environmental goal of the Project includes the improvement of wetland functioning in the watersheds, particularly the downstream salt marshes, sloughs, and

lagoons that are the ultimate recipients of sediment and other pollutants. The Practices are designed to control erosion at its source in upland areas. This is accomplished by stabilizing erodible soils on farms and ranches to prevent soil accumulation in wetlands, collect sediments before they enter waterways and wetlands, and provide watering areas for livestock away from sensitive habitats. In addition, specific types of habitats are excluded from the Project in order to avoid construction-related impacts to those habitats and species that depend on those habitats. These include salt marshes/lagoons, beaches and dunes, and vernal pools.

The NRCS conservation planning process uses tools such as the California Environmental Assessment Worksheet to determine effects on wetlands and other sensitive areas (see Appendix A, Attachment 4). Only projects that result in a net environmental benefit are included in this Project. There will be no net loss of wetlands under this Project. In those instances where wetlands (occurring in riparian areas) may be temporarily encroached upon, protection measures appropriate to the type of wetland would be implemented. Protection measures include laying down mats, avoiding wetland vegetation and replanting where impacted, and staging to avoid and minimize impacts to certain areas of the wetland.

a, b, g) Although work undertaken as part of some of the Project has the potential to result in the loss of individuals of a CNPS 1B listed plant species, such losses are expected to be minimal due to the surveys and avoidance conditions included in the Environmental Protection Measures (Table 3 of the Project Description), including adherence to protection measures outlined by DFG and/or the CNPS Mitigation Guidelines. Even in rare instances of inadvertent individual plant loss, due to the degraded nature of most of the project sites, the overall benefits of the environmentally beneficial projects undertaken as part of the Project will offset these potential impacts to less than significant by improving resource conditions at multiple locations throughout the County. Particularly through implementation of the Restoration and Management of Declining Habitats Practice, there is great potential for restoring native plant habitats by removing exotic invasive plant species and allowing native species the opportunity to reestablish an area.

In certain cases, there is the potential for “taking”<sup>1</sup> individual protected plants or animals as part of work performed under this Project and a small number of individuals of special status species could be affected by such incidental take. However, any loss of individuals will not be substantial and resource agencies recognize that the potential for incidental take of certain threatened and endangered species during implementation of some projects will be balanced by the habitat and resource gains that will result from the proposed Practices. In addition, in some cases, habitat for some of the listed species is expected to be enhanced or created. For example, the removal or modification of barriers to steelhead movement will provide access to currently blocked spawning grounds which will assist with the recovery of steelhead in the County. Installation of new ponds and restoring existing ponds may enhance or create habitat for California red-legged frogs, California tiger salamanders, and other aquatic species. In every case where take is a possibility, the resource agency with jurisdiction has been consulted and will issue an approval. NMFS and FWS, trustee agencies for federal and state candidate, sensitive,

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<sup>1</sup> Under the Federal Endangered Species Act, “take” is defined as to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect, or to attempt to engage in any such conduct. “Incidental Take” is defined as take that is incidental to, and not the purpose of the carrying out of an otherwise lawful activity. Take of State listed Fully Protected species is not authorized under this Project.

and special status species, will issue Incidental Take Statements as part of their biological opinions issued for the Project for NRCS federally funded projects. The biological opinions will include Reasonable and Prudent Measures to minimize the potential for incidental take. The FWS and NMFS will ensure that Project activities would not result in jeopardy to any of these species by placing limits on take. No take of Fully Protected species (listed under the California Endangered Species Act) would occur under this Project.

**Cumulative Impacts:**

Cumulative effects are the total impacts of all individual actions that are reasonably expected to occur in the project area. The NRCS and CRCDD estimate that approximately 20 conservation Practices would be implemented annually as part of the Project. The actual number of projects that will be implemented under the Project will be less than the number of Practices since, generally, several Practices are implemented together to equal one project. Actual implementation of projects will depend on several factors, including landowner interest and availability of NRCS and CRCDD staff.

The anticipated Practices are broken down as follows:

Stream Practices

**Table BIO-1 - Estimated Area Affected by Installation of Stream Practices**

Stream Practice	Number of Practices/ year	Area Affected (acres)	
		Average	Maximum
Critical Area Planting			
on stream bank	1	N/A*	N/A*
Pipeline (crossing a stream)	1	0.001	0.002
Restoration & Management of Declining Habitats			
Invasives removal	1	0.5	2.5
Pond maintenance	0.6**	0.6	0.9
Stream Bank Protection	1	1	2.3
Stream Crossing	0.4**	0.04	0.04
Stream Habitat Improvement & Management			
Barrier removal	0.4**	0.1	0.2
Install habitat features	0.4**	0.08	0.08
Plant riparian vegetation	0.4**	0.2	0.4
<u>Structure for Water Control</u>			
<u>New or replacement culvert</u>	<u>1</u>	<u>0.25</u>	<u>0.5</u>
<b>Totals for 1 year</b>	<b><u>7.2</u></b>	<b><u>2.8</u></b>	<b><u>6.9</u></b>
<b>Totals for 5 years</b>	<b><u>36</u></b>	<b><u>14</u></b>	<b><u>35</u></b>

\* N/A – Critical area planting is typically preceded by stream bank protection (same area affected)

\*\* These estimates are based on number of practices installed over 5 years since not all practices are expected to be installed on a yearly basis. Therefore, 1 practice installed in 5 years = 0.2/year; 2 practices in 5 years = 0.4/year; and 3 practices in 5 years = 0.6/year

NRCS and CRCDD estimate that a total of 7.2 stream practices would be installed in a given year or 36 practices over a five-year period. Average and maximum areas impacted are estimated at 3 acres and 7 acres per year, respectively (14 and 35 acres over five years). Stream bank protection and invasive plant removal contribute the most to area impacts. Critical area planting is not counted since stream bank protection usually precedes installing a critical area planting on the same area initially affected (*e.g.*, laying a bank back to a stable slope and then planting the exposed area).

While these estimates address total area affected by the Project, they do not accurately represent area of native riparian vegetation impacted. This is true for two reasons: first, individual practices are generally not installed separately, but rather as an integrated group, and second, the quantity and quality of riparian habitat occurring at project sites prior to practice installation is already in a degraded state. Concerning the integration of practices, for example, a project to remove a barrier such as an “Arizona” crossing (Stream Habitat Improvement practice) would precede installation of a fish-friendly crossing (Stream Crossing practice); the project may also require reshaping a portion of the bank (Stream Bank Protection practice) and planting the bank with native plants (Critical Area Planting practice). Concerning the second issue, most of the area affected will already be in a degraded condition; that is, these sites are characterized by low density of riparian plants, low diversity of riparian plants; bare ground; dominance of non-native invasive plants; fragmented distribution of riparian plants when present, etc., and have little if any functional value for several of the listed species that require diverse, dense habitat.

The removal or trimming of native riparian vegetation is limited under the Protection Measures to 0.1 acre per project. Therefore, given the issues discussed above an estimated 0.1 to 0.5 acre of riparian habitat would be removed in a given year (or 0.5 to 2.5 acres over five years). Any removal of riparian vegetation would be replanted and monitored for success, as required by the Protection Measures.

Upland Practices

**Table BIO-2 - Estimated Area Affected by Installation of Upland Practices**

Upland Practice	Number of Practices/ year	Area Affected (acres)	
		Average	Maximum
Access Road Improvements	1	2	6
Critical Area Planting (upland gullies)	0.6	1.8	3
Diversion			
On farm	1	1.5	2.5
On range	1	0.5	1.25
Filter Strip	1	2	3.5
Grassed Waterway			
On farm	1	2	5
Field ditches	1	0.5	1.5
Irrigation System & Tailwater Recovery	0.4	0.2	0.2
Pipeline (on rangeland)	2	1	2
Pond (new)	0.2	0.02	0.05
Restoration & Management of Declining Habitats			
Cross fencing	2	N/A	N/A
Sediment Basin	0.4	0.1	0.2
Structure for Water Control	1	1	2.3
— Non stream culvert	1	0.25	0.5
Underground Outlet	2	0.2	0.4
<b>Totals for 1 year</b>	<b><u>13.6</u></b>	<b><u>11.9</u></b>	<b><u>25.6</u></b>
<b>Totals for 5 years</b>	<b><u>68</u></b>	<b><u>59.5</u></b>	<b><u>128</u></b>

NRCS and CRCD estimate that a total of 13.6 upland practices would be installed in a given year or approximately 68 practices over a five-year period. Average and maximum areas impacted are estimated at approximately 12 acres and 26 acres per year, respectively (60 and 128 acres over five years). Six of these practices (on-farm diversions, filter strips, on-farm grassed waterways, irrigation system and tailwater recovery, sediment basins, and underground outlets) account for over 43% of the estimated area affected. These practices are installed on land in cultivation, in orchards and vineyards, on bare ground, or where ruderal species predominate; therefore, few listed species are expected to be present or be impacted by these practices. Access road improvements also account for a relatively large area, although these sites are already in a disturbed condition (existing dirt roads). The remaining Practices installed on rangeland could affect upland species, although several of the Practices are long and linear (pipelines and cross-fencing), and therefore will have minimal impact in one area), while others will be installed infrequently (new ponds, sediment basins, and tailwater recovery systems). New ponds will be located in areas dominated by introduced annual grasses and sediment basins and tailwater recovery systems will be located outside of the riparian zone on already cultivated land.



Projected impact area in upland sites does not translate directly to impacts to listed species. This is most pronounced in actively farmed areas, where, except for highly mobile and adaptable species such as kit foxes, listed species are not expected to occur. Practices installed on grazing land will primarily impact non-native grasses; native habitats such as native grassland, coastal sage scrub, and chaparral will be avoided completely or impacts will be so minimal as to be less than significant (also required by the Protection Measures).

The potential for temporary effects associated with construction activities will be offset by the long-term environmental net benefits that result from the proposed project activities.

Potential loss of riparian vegetation would be offset through revegetation of project sites following installation of the Practices. For all work implemented under the proposed Project, the project area vegetation will be restored to pre-construction condition or better. If native riparian vegetation will be disturbed, it will be replaced with similar native species.

Although there is the potential for incidental take of individuals of certain listed species, the cumulative benefits to water quality and habitat for these species are expected to outweigh the potential impacts associated with construction activities. NMFS, FWS, and DFG will issue Incidental Take statements and other approvals which will include measures to minimize the potential for incidental take. No take of Fully Protected species (listed under the California Endangered Species Act) would occur. The NRCS and CRCDC shall follow the conditions of the permits issued by each agency for the Project. As a result, any potential loss of individuals is expected to be minimal, would not result in jeopardy to any species, and the cumulative benefits of the environmentally beneficial projects undertaken as part of the proposed Project will offset these potential impacts by improving resource conditions, overall, at multiple locations throughout Santa Barbara County.

There will be no net loss of wetlands under this Project. In those instances where wetlands may be temporarily encroached upon, the Protection Measures appropriate to the type of wetland would be implemented and any effect is not expected to contribute considerably to cumulative impacts. The cumulative benefits to sensitive wetlands downstream of individual project sites, such as estuaries and sloughs, are expected to be substantial, as these sites are the ultimate recipients of sediment and other non-point source pollution.

Temporary increases in erosion during construction activities will be minimized through implementation of erosion control measures and offset in the long-term by the reduction in the amount of sediment entering Santa Barbara County watersheds as a result of these projects being in place. For example, the cumulative effects of a sediment basin are demonstrated in the additional sediment trapped each year over the life of that basin, and prevented from entering sensitive habitats and waterways.

Even with the estimated scope of work undertaken under the 5 year life of the Project, the conditions and limitations included in the descriptions of the Conservation Practices (Table 1 of the Project Description) combined with the Environmental Protection Measures (Table 3 of the Project Description) would result in less than significant impacts to biological resources as a result of this Project. Therefore, the project would not contribute considerably to cumulative impacts.

**Mitigation and Residual Impact:**

No mitigation is necessary as the conditions and limitations included in the Conservation Practices (Table 1 of the Project Description) combined with the Environmental Protection Measures (Table 3 of the Project Description) and the species-specific protection measures that will be included in the biological opinions and streambed alteration agreement would result in less than significant impacts to biological resources as a result of this Project.

Additionally, the Conservation Practices provide for improved surface water quality and decreased sedimentation in water bodies that will benefit fish, amphibians, and reptiles. Practices that enhance riparian and bank vegetation, including the critical area planting, filter strips, and stream bank protection practices may also provide shelter from predators and breeding, foraging and basking sites for some special status species known to occur in the County's watersheds. Control of erosion and pesticide runoff from farm fields will improve the quantity and quality of freshwater input into creeks, streams, and downstream estuaries and marshes. The net conservation benefits which may result from implementation and maintenance of the Conservation Practices for species include: reducing fragmentation and increasing connectivity of habitats, maintaining or increasing species populations, removing invasive exotics and restoring native plant populations, and buffering sensitive areas from runoff.

Lastly, by coordinating the permit process, the Project addresses the disincentives currently faced by landowners in undertaking environmentally beneficial conservation projects and is expected to result in more, and better quality, habitat enhancing projects throughout the County.

Below are summaries of the long-term benefits achieved by other Permit Coordination Programs:

Elkhorn Slough watershed, Monterey County

- First permit coordination program, established 1998
- Total of 43 projects were done during the 5-year term
- Estimate of total sediment reduction (kept from entering streams and wetlands) – 60,000 tons
- Estimate of total area of native riparian vegetation planted – 13 acres

West Marin County

- Started in 2004
- Total of 17 projects were completed in 3 years (2004-06)
- Estimate of total area of native riparian vegetation planted – 10.3 acres
- Estimate of total linear feet of stream corridor improvement – 11,200

Santa Cruz County

- Started in 2005
- Estimate of total area of invasive plant removal in 2 years – 6 acres
- Estimate of total area of native riparian vegetation planted in 2 years – 4 acres
- Failing or undersized culverts replaced with fish-friendly structures in 3 years – 6

### 3.5 CULTURAL RESOURCES

Will the proposal result in:	Poten. Signif.	Less than Signif. with Mitigation	Less Than Signif.	No Impact
<b>Archaeological Resources</b>				
a. Disruption, alteration, destruction, or adverse effect on a recorded prehistoric or historic archaeological site (note site number below)?			✓	
b. Disruption or removal of human remains?			✓	
c. Increased potential for trespassing, vandalizing, or sabotaging archaeological resources?				✓
d. Ground disturbances in an area with potential cultural resource sensitivity based on the location of known historic or prehistoric sites?			✓	
<b>Ethnic Resources</b>				
e. Disruption of or adverse effects upon a prehistoric or historic archaeological site or property of historic or cultural significance to a community or ethnic group?			✓	
f. Increased potential for trespassing, vandalizing, or sabotaging ethnic, sacred, or ceremonial places?				✓
g. The potential to conflict with or restrict existing religious, sacred, or educational use of the area?				✓

**Impact Discussion:**

a-g) All projects implemented under the Project would be subject to NRCS assessment to ensure potential impacts to cultural resources are avoided or minimized. The NRCS has a Programmatic Agreement (PA) with the State Historic Preservation Office (SHPO) and the Advisory Council on Historic Preservation for federally funded projects (Appendix A, Attachment 5). The PA creates a process for assessing potential impacts, reviewing local, state and national records and literature, and consulting with tribal authorities, historical societies and other interested parties. The policy also dictates the NRCS process for dealing with the discovery of human remains and previously unknown cultural resources.

Under the Project, NRCS field employees trained in cultural resources protection will determine whether or not there exists the likelihood for cultural resources to be present at the site and will plan projects to avoid potential impacts.

The NRCS will protect cultural resources to the fullest extent possible. If, during the course of installing a conservation practice, the risk of affecting cultural resources increases (*e.g.*, if an unanticipated resource is discovered, if an unevaluated resource will be affected, or if it is determined that cultural properties will be affected in a previously unanticipated manner), the NRCS will respond immediately. This will entail halting activity in areas with potential to affect cultural resources and notifying the NRCS’ cultural resources coordinator immediately. If human remains are uncovered, the NRCS will follow procedures established by the Native American Heritage Commission. This includes immediate cessation of work in the area and the notification of the County coroner.

The NRCS process for minimizing effects to cultural resources ensures that no significant adverse effects will result to cultural resources as a result of this Project.

**Cumulative Impacts:** The Project’s impacts to cultural resources is expected to be less than significant. Therefore, the Project would not contribute to cumulative impacts to such resources.

**Mitigation and Residual Impact:** No mitigation is necessary since the Project would have less than significant impacts on cultural resources.

### 3.6 ENERGY

<b>Will the proposal result in:</b>	<b>Poten. Signif.</b>	<b>Less than Signif. with Mitigation</b>	<b>Less Than Signif.</b>	<b>No Impact</b>
a. Substantial increase in demand, especially during peak periods, upon existing sources of energy?				✓
b. Requirement for the development or extension of new sources of energy?				✓

**Impact Discussion:**

The Project is not expected to result in an increased demand upon existing sources of energy, and the Project will not require the development or extension of new sources of energy. Due to the size limitations placed on individual projects as well as the number of projects anticipated to occur throughout the life of the Project, no impact is expected to occur on energy resources.

**Cumulative Impacts:** Since no project specific impacts to Energy Resources would occur, the Project would not contribute to cumulative impacts to such resources.

**Mitigation and Residual Impact:** No mitigation is necessary since the project would have less than significant impacts on Energy Resources.

### 3.7 FIRE PROTECTION

<b>Will the proposal result in:</b>	<b>Poten. Signif.</b>	<b>Less than Signif. with Mitigation</b>	<b>Less Than Signif.</b>	<b>No Impact</b>
a. Introduction of development into an existing high fire hazard area?				✓
b. Project-caused high fire hazard?		✓		
c. Introduction of development into an area without adequate water pressure, fire hydrants or adequate access for fire fighting?				✓
d. Introduction of development that will hamper fire prevention techniques such as controlled burns or backfiring in high fire hazard areas?				✓
e. Development of structures beyond safe Fire Dept. response time?				✓

**Impact Discussion:**

b) Due to the rural location of most agriculturally zoned properties, it is likely that work undertaken as part of this Project will occur in high fire hazard areas and construction activities have the potential to spark fires in adjacent vegetation. However, most areas of the County are served by the Santa Barbara County Fire District. Additionally, large or remote properties, particularly in high fire hazard areas, are often required to install water tanks, hydrants and other fire protection

measures to ensure adequate ability to fight fire. Given the extent of recent fire events in Santa Barbara County, the possibility, however small, that work under this Project could occur in areas without adequate access to fire protection is potentially significant, but can be mitigated to a level below significance with the addition of the Mitigation Measures below.

a,c,d,e) The Project does not include development in terms of combustible structures requiring Fire Department response and protection. Additionally, no controlled burn or backfiring provisions are included in the Project. Therefore the project would have no impacts with regard to the introduction of development into a high fire hazard area.

**Cumulative Impacts:** The Project’s impacts to fire protection are less than significant. Therefore, the Project would not contribute considerably to cumulative impacts.

**Mitigation:**

**Fire-1)** Vehicles equipped with catalytic converters shall not be parked in areas that are susceptible to fire, such as tall grass.

**Fire-2)** Welding or similar types of activities implemented under the Project, shall not be used at project sites unless appropriate fire suppression equipment/water supply is available onsite or is brought into the site.

**Monitoring & Timing:** NRCS staff will ensure that the above measures are implemented on work performed as part of this Project. A statement regarding compliance with mitigation measures will be included in the annual report and will serve as the Mitigation Reporting Program.

**Residual Impact** The implementation of these mitigation measures would result in less than significant impacts to fire protection as a result of this Project.

**3.8 GEOLOGIC PROCESSES**

<b>Will the proposal result in:</b>	<b>Poten. Signif.</b>	<b>Less than Signif. with Mitigation</b>	<b>Less Than Signif.</b>	<b>No Impact</b>
<b>a.</b> Exposure to or production of unstable earth conditions such as landslides, earthquakes, liquefaction, soil creep, mudslides, ground failure (including expansive, compressible, collapsible soils), or similar hazards?			✓	
<b>b.</b> Disruption, displacement, compaction or overcovering of the soil by cuts, fills or extensive grading?			✓	
<b>c.</b> Permanent changes in topography?			✓	
<b>d.</b> The destruction, covering or modification of any unique geologic, paleontologic or physical features?			✓	
<b>e.</b> Any increase in wind or water erosion of soils, either on or off the site?			✓	
<b>f.</b> Changes in deposition or erosion of beach sands or dunes, or changes in siltation, deposition or erosion which may modify the channel of a river, or stream, or the bed of the ocean, or any bay, inlet or lake?			✓	
<b>g.</b> The placement of septic disposal systems in impermeable soils with severe constraints to disposal of liquid effluent?				✓
<b>h.</b> Extraction of mineral or ore?				✓
<b>i.</b> Excessive grading on slopes of over 20%?			✓	

<b>Will the proposal result in:</b>	<b>Poten. Signif.</b>	<b>Less than Signif. with Mitigation</b>	<b>Less Than Signif.</b>	<b>No Impact</b>
<b>j.</b> Sand or gravel removal or loss of topsoil?			✓	
<b>k.</b> Vibrations, from short-term construction or long-term operation, which may affect adjoining areas?			✓	
<b>l.</b> Excessive spoils, tailings or over-burden?			✓	

**Impact Discussion:**

a) Santa Barbara County is home to several major seismic fault systems which are considered significant, and is therefore situated in an area of high seismic risk. Additionally, many hillside areas of the County are susceptible to landslides, particularly in areas with steeper slopes, and landslide deposits are common in large portions of the County (Santa Barbara County General Plan)

All conservation practices included under the proposed Project include conditions, limitations and Protection Measures that guide the design of these practices. The risk of slope failure, liquefaction or structural failure is also addressed during the NRCS planning process. NRCS planners and engineers assess the soil type and condition (including soil erosion potential, soil slippage, landslides, subsidence, compaction, etc. by referencing landslide and geology maps) during project planning to assess what the optimal solution will be for a particular site. NRCS engineers consider physical factors on site when selecting and designing structures. Typically the NRCS chooses not to work in areas of known geologic instability. Given this process, potential risks associated with work in areas with the potential for strong seismic shaking, ground failure, or expansive soils are expected to be less than significant.

b-c,d,e,f,i,j,k, l) Many of the Practices included in the Project have the stated purpose of reducing or eliminating soil erosion and will have an indirect positive impact on slope stabilization. The installation of erosion control and stream bank stabilization projects, installing sediment basins, stabilizing upland areas through road improvements and gully stabilization projects, would have the beneficial effects of reducing soil erosion and protecting against the loss of topsoil. The potential for temporary or long-term impacts on geologic processes to occur as part of the work performed under this Project will be minimized by the conditions and limitations placed on each Practice as shown in Table 1 of the Project Description, and by implementing the measures described in Table 3, Environmental Protection Measures, and will be offset by the long-term beneficial effects of the practices once installed. Therefore, impacts on geologic processes are expected to be less than significant.

g) No septic tanks or alternative wastewater disposal systems would be installed as part of the Project.

h) No mineral or ore will be extracted as part of the Project.

**Cumulative Impacts:** Impacts to geologic processes are generally considered site-specific and do not have the potential to result in cumulatively considerable impacts. The exceptions to this are erosion and off-site sedimentation. The Project is expected to reduce the amount of erosion and sedimentation on agricultural lands in the County which will also decrease sediment to downstream areas. As such, the Project does not have the potential to contribute to cumulative impacts to geologic processes.

**Mitigation and Residual Impact:** No mitigation is necessary since the project would have less than significant impacts on Geologic Processes.

### 3.9 HAZARDOUS MATERIALS/RISK OF UPSET

<b>Will the proposal result in:</b>	<b>Poten. Signif.</b>	<b>Less than Signif. with Mitigation</b>	<b>Less Than Signif.</b>	<b>No Impact</b>
<b>a.</b> In the known history of this property, have there been any past uses, storage or discharge of hazardous materials (e.g., fuel or oil stored in underground tanks, pesticides, solvents or other chemicals)?			✓	
<b>b.</b> The use, storage or distribution of hazardous or toxic materials?			✓	
<b>c.</b> A risk of an explosion or the release of hazardous substances (e.g., oil, gas, biocides, bacteria, pesticides, chemicals or radiation) in the event of an accident or upset conditions?			✓	
<b>d.</b> Possible interference with an emergency response plan or an emergency evacuation plan?				✓
<b>e.</b> The creation of a potential public health hazard?				✓
<b>f.</b> Public safety hazards (e.g., due to development near chemical or industrial activity, producing oil wells, toxic disposal sites, etc.)?				✓
<b>g.</b> Exposure to hazards from oil or gas pipelines or oil well facilities?				✓
<b>h.</b> The contamination of a public water supply?				✓

**Impact Discussion:**

a-c, e-g) As work under this Project can occur throughout the County, it is possible that work will occur on a property with a history of storage or discharge of hazardous materials. Additionally, there is the potential for accidental release of hazardous or toxic materials as part of the Practices that include removal of abandoned vehicles and appliances and the use of pesticides or herbicides.

As described in the Environmental Protection Measures in Table 3 of the Project Description, protection measures have been integrated within the Project to minimize potential effects associated with accidental spills and leaks as well as with the use of herbicides and pesticides. The use of herbicides and pesticides will be limited as described in Table 3, Environmental Protection Measures. If used, herbicides would be applied according to registered label conditions and if used near waterways only an approved herbicide that is safe to use near aquatic habitats would be utilized. The risk of upset due to hazardous materials is also addressed during the NRCS planning process as NRCS planners consider public health and safety during the project planning process.

Through implementation of these elements of the Project, potential impacts related to hazards and hazardous materials are expected to be less than significant.

d,h) Work undertaken as part of the Project is not expected to interfere with emergency response or evacuation plans, nor is it expected to result in contamination of public water supplies.

**Cumulative Impacts:** The Project’s impacts with respect to hazardous materials or risk of upset would be less than significant. Therefore, the Project would not contribute considerable to cumulative impacts.

**Mitigation and Residual Impact:** No mitigation is necessary since the Project’s impacts with respect to hazardous materials or risk of upset would be less than significant.

### 3.10 HISTORIC RESOURCES

<b>Will the proposal result in:</b>	<b>Poten. Signif.</b>	<b>Less than Signif. with Mitigation</b>	<b>Less Than Signif.</b>	<b>No Impact</b>
a. Adverse physical or aesthetic impacts on a structure or property at least 50 years old and/or of historic or cultural significance to the community, state or nation?				✓
b. Beneficial impacts to an historic resource by providing rehabilitation, protection in a conservation/open easement, etc.?				✓

**Impact Discussion:**

a) Work undertaken as part of this Project will not affect historic or culturally significant structures. There is the possibility that work may occur on a property that is considered historic or culturally significant, however, work undertaken as part of the Project is not expected to have any effect on the historic or cultural significance of a property.

b) No conservation or open space easements are expected as part of the Project.

**Cumulative Impacts:** The Project’s is not anticipated to have an impact on historic resources. Therefore, the Project would not contribute to cumulative impacts.

**Mitigation and Residual Impact:** No mitigation is necessary since no impacts are anticipated to historic resources.

### 3.11 LAND USE

<b>Will the proposal result in:</b>	<b>Poten. Signif.</b>	<b>Less than Signif. with Mitigation</b>	<b>Less Than Signif.</b>	<b>No Impact</b>
a. Structures and/or land use incompatible with existing land use?				✓
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			✓	
c. The induction of substantial growth or concentration of population?				✓



<b>Will the proposal result in:</b>	<b>Poten. Signif.</b>	<b>Less than Signif. with Mitigation</b>	<b>Less Than Signif.</b>	<b>No Impact</b>
<b>d.</b> The extension of sewer trunk lines or access roads with capacity to serve new development beyond this proposed project?				✓
<b>e.</b> Loss of existing affordable dwellings through demolition, conversion or removal?				✓
<b>f.</b> Displacement of substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				✓
<b>g.</b> Displacement of substantial numbers of people, necessitating the construction of replacement housing elsewhere?				✓
<b>h.</b> The loss of a substantial amount of open space?				✓
<b>i.</b> An economic or social effect that would result in a physical change? (i.e. Closure of a freeway ramp results in isolation of an area, businesses located in the vicinity close, neighborhood degenerates, and buildings deteriorate. Or, if construction of new freeway divides an existing community, the construction would be the physical change, but the economic/social effect on the community would be the basis for determining that the physical change would be significant.)				✓
<b>j.</b> Conflicts with adopted airport safety zones?				✓

**Impact Discussion:**

a) The Project is a voluntary program for agricultural landowners in Santa Barbara County wishing to improve the resources on their properties by installing one or more of the Practices contained in this Project. Because work performed as part of the Project will be voluntarily undertaken by landowners, the Project is not anticipated to conflict with existing agricultural uses on properties. In fact, the ability to perform erosion control projects on agricultural land achieved by this Project has the potential to increase agricultural productivity as a result of decreased soil loss and increased slope stability.

b) The Staff Report prepared for the Master Conditional Use Permits issued for the Project by Santa Barbara County will include a detailed policy consistency analysis. However, the Project Description, including the Conservation Practices and the Environmental Protection Measures have been designed in consultation with County Planning Staff and with consistency with County policies in mind. Specifically, as discussed throughout this document, the conditions, limitations and Protection Measures included as part of the Project Description have been designed to achieve consistency with County policies dealing with protection of agriculture, protection of cultural resources, and protection of coastal resources, environmentally sensitive habitat, biological resources and water resources.

Additionally, with the addition of the mitigation measures contained in this document, the Project will achieve consistency with the County’s air quality and fire protection standards and policies.

c-j) The Project would not directly or indirectly induce population growth, displace people or impact housing in any way and will not necessitate the construction of housing. No sewer lines are proposed as part of this Project and improvements to access roads will not have the potential to serve new development. The Project would not result in the loss of open space and would not result in economic or social change that would result in physical change.

**Cumulative Impacts:** As mitigated by this environmental document, the proposed project would not contribute to cumulative land use impacts.

**Mitigation and Residual Impact:** See Fire-1 and Fire 2.

With incorporation of these measures, project-specific impacts would be reduced to a less than significant level.

### 3.12 NOISE

<b>Will the proposal result in:</b>	<b>Poten. Signif.</b>	<b>Less than Signif. with Mitigation</b>	<b>Less Than Signif.</b>	<b>No Impact</b>
<b>a.</b> Long-term exposure of people to noise levels exceeding County thresholds (e.g. locating noise sensitive uses next to an airport)?				✓
<b>b.</b> Short-term exposure of people to noise levels exceeding County thresholds?				✓
<b>c.</b> Project-generated substantial increase in the ambient noise levels for adjoining areas (either day or night)?			✓	

**Impact Discussion:**

a,c) The proposed Project would not result in any long-term noise generation, nor would the project increase the ambient noise levels for adjoining areas.

b) It is anticipated that the majority of sensitive receptors in areas where projects will be implemented under the Project will be rural landowners and growers, agricultural workers, and construction workers in the immediate vicinity of the individual construction sites. Temporary increases in ambient noise during construction activities would result from the use of heavy equipment such as excavators, backhoes, and back-up beepers. The use of heavy equipment may also result in ground borne vibrations and noise. However, these increases in noise would be temporary, isolated, and would only affect a small number of people in the vicinity of the construction site. Impacts are therefore expected to be less than significant.

**Cumulative Impacts:** The Project’s impacts to noise are less than significant. Therefore the Project would not contribute considerably to cumulative impacts.

**Mitigation and Residual Impact:** No mitigation is necessary since the project’s impacts to noise are less than significant.

### 3.13 PUBLIC FACILITIES

<b>Will the proposal result in:</b>	<b>Poten. Signif.</b>	<b>Less than Signif. with Mitigation</b>	<b>Less Than Signif.</b>	<b>No Impact</b>

<b>Will the proposal result in:</b>	<b>Poten. Signif.</b>	<b>Less than Signif. with Mitigation</b>	<b>Less Than Signif.</b>	<b>No Impact</b>
<b>a.</b> A need for new or altered police protection and/or health care services?				✓
<b>b.</b> Student generation exceeding school capacity?				✓
<b>c.</b> Significant amounts of solid waste or breach any national, state, or local standards or thresholds relating to solid waste disposal and generation (including recycling facilities and existing landfill capacity)?				✓
<b>d.</b> A need for new or altered sewer system facilities (sewer lines, lift-stations, etc.)?				✓
<b>e.</b> The construction of new storm water drainage or water quality control facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				✓

**Impact Discussion:**

a-e) The Project would have no impact on the need for public services, would not affect school capacities or sewer system facilities, would not generate significant amounts of solid waste and would not require the construction or alteration of storm water drainage or water quality control facilities which could cause significant environmental effects.

**Cumulative Impacts:** Since no project specific impacts to public facilities would occur, the project would not contribute to cumulative impacts.

**Mitigation and Residual Impact:** No mitigation is necessary as the project would have no impact on public facilities.

**3.14 RECREATION**

<b>Will the proposal result in:</b>	<b>Poten. Signif.</b>	<b>Less than Signif. with Mitigation</b>	<b>Less Than Signif.</b>	<b>No Impact</b>
<b>a.</b> Conflict with established recreational uses of the area?				✓
<b>b.</b> Conflict with biking, equestrian and hiking trails?				✓
<b>c.</b> Substantial impact on the quality or quantity of existing recreational opportunities (e.g., overuse of an area with constraints on numbers of people, vehicles, animals, etc. which might safely use the area)?				✓

**Impact Discussion:**

a-c) The Project would only be implemented on privately owned agricultural property and would therefore have no potential to impact established or potential recreational facilities.

**Cumulative Impacts:** Since no project specific impacts to recreation would occur, the project would not contribute to cumulative impacts.

**Mitigation and Residual Impact:** No mitigation is necessary as the project would have no impact on recreation.

### 3.15 TRANSPORTATION/CIRCULATION

Will the proposal result in:	Poten. Signif.	Less than Signif. with Mitigation	Less Than Signif.	No Impact
a. Generation of substantial additional vehicular movement (daily, peak-hour, etc.) in relation to existing traffic load and capacity of the street system?				✓
b. A need for private or public road maintenance, or need for new road(s)?			✓	
c. Effects on existing parking facilities, or demand for new parking?				✓
d. Substantial impact upon existing transit systems (e.g. bus service) or alteration of present patterns of circulation or movement of people and/or goods?				✓
e. Alteration to waterborne, rail or air traffic?				✓
f. Increase in traffic hazards to motor vehicles, bicyclists or pedestrians (including short-term construction and long-term operational)?			✓	
g. Inadequate sight distance?				✓
ingress/egress?				✓
general road capacity?				✓
emergency access?				✓
h. Impacts to Congestion Management Plan system?				✓

**Impact Discussion:**

a, c-g) The Project would have no long-term operational increases to traffic and would therefore have no effect on transportation or circulation within the County.

b) The Project includes Practices for improvements to existing private roads which may increase maintenance costs. However, these private roads will be maintained by the individual property owners and there would be no significant impacts on the need for road maintenance.

f) The temporary, construction-related traffic generated by the Project is not expected to result in a significant increase in traffic hazards to motorists, bicyclists or pedestrians.

h) The temporary, construction-related traffic generated by the Project would not impact the established Congestion Management Plan for the County.

**Cumulative Impacts:** Since no significant impacts to transportation or circulation would occur, the Project would not contribute considerably to cumulative impacts.

**Mitigation and Residual Impact:** No mitigation is necessary as the project’s impacts to transportation and circulation are less than significant.

### 3.16 WATER RESOURCES/FLOODING

<b>Will the proposal result in:</b>	<b>Poten. Signif.</b>	<b>Less than Signif. with Mitigation</b>	<b>Less Than Signif.</b>	<b>No Impact</b>
<b>a.</b> Changes in currents, or the course or direction of water movements, in either marine or fresh waters?			✓	
<b>b.</b> Changes in percolation rates, drainage patterns or the rate and amount of surface water runoff?			✓	
<b>c.</b> Change in the amount of surface water in any water body?			✓	
<b>d.</b> Discharge, directly or through a storm drain system, into surface waters (including but not limited to wetlands, riparian areas, ponds, springs, creeks, streams, rivers, lakes, estuaries, tidal areas, bays, ocean, etc) or alteration of surface water quality, including but not limited to temperature, dissolved oxygen, turbidity, or thermal water pollution?			✓	
<b>e.</b> Alterations to the course or flow of flood water or need for private or public flood control projects?			✓	
<b>f.</b> Exposure of people or property to water related hazards such as flooding (placement of project in 100 year flood plain), accelerated runoff or tsunamis?			✓	
<b>g.</b> Alteration of the direction or rate of flow of groundwater?				✓
<b>h.</b> Change in the quantity of groundwater, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations or recharge interference?				✓
<b>i.</b> Overdraft or overcommitment of any groundwater basin? Or, a significant increase in the existing overdraft or overcommitment of any groundwater basin?				✓
<b>j.</b> The substantial degradation of groundwater quality including saltwater intrusion?				✓
<b>k.</b> Substantial reduction in the amount of water otherwise available for public water supplies?				✓
<b>l.</b> Introduction of storm water pollutants (e.g., oil, grease, pesticides, nutrients, sediments, pathogens, etc.) into groundwater or surface water?			✓	

*Watersheds in the Project Area:*

The proposed Project area encompasses all waterways within Santa Barbara County. Major watersheds in Santa Barbara County include the Santa Maria, San Antonio, Santa Ynez and South Coast watersheds. Associated waterways and land uses within Santa Barbara County watersheds are described in detail in Appendix B.

*Water Quality:*

Many of the waterways in Santa Barbara County are listed on the Clean Water Act Section 303(d) List of Impaired Water Bodies (see Appendix A, Attachment 1) While sedimentation/siltation is a significant problem for most of the listed waterways, nutrients (primarily nitrogen and phosphorus), pesticides, and pathogens are also pollutants of concern for some of these drainages. These pollutants, when present in excessive amounts, degrade

beneficial uses of waterways and require the Regional Board to implement plans or issue regulatory actions to improve water quality.

**Impact Discussion:**

a-c) In some cases, implementation of the Practices may require the temporary diversion of a stream around a worksite in order to minimize potential effects to aquatic species and water quality. This change would be temporary and returned to pre-construction conditions upon completion of the construction activity. The Practices and associated Protection Measures are designed to minimize impacts during construction and any short-term contributions of sediments from construction would be offset within the first year by the functioning of the Practice. The specific Practices as described in the Project Description will not increase runoff.

Some Practices such as Diversion, and Access Road Improvements may result in a permanent change in local drainage patterns on the site, but will not result in a decrease of water to any streams or wetlands and will not divert water into another subwatershed. In addition, any alterations to onsite water movement use natural materials wherever possible, reduce erosion and sedimentation and improve the natural functioning of the waterways and drainage courses. Further, any Practice occurring in a stream or near a stream bank will be governed by the streambed alteration agreement to be issued by the DFG.

d,l) The Practices are installed on farms and ranches to prevent erosion and the release of sediment into creeks, riparian areas, and downstream wetlands. The Practices are also installed to reduce stream bank erosion, head cutting in gullies, scour and sedimentation, and to stabilize stream channels. In the long term, the Project would decrease polluted runoff throughout the County. The purpose of many of the Practices included in the Project is to reduce and slow runoff from a property site, thereby reducing the amount of pesticides, nutrients, and sediment from entering creeks and streams. Practices such as Grassed Waterways, Diversion, Filter Strips, and Sediment Basins are specifically designed to minimize runoff (and associated sediment and pollutants) from agricultural and rural areas before it enters waterways. Benefits associated with implementation of conservation activities are achieved by improving infiltration of runoff through the use of increased vegetative cover of bare soils (Critical Area Planting, Filter Strips, and Grassed Waterways) and slowing of runoff through the re-grading, outsloping, or the addition of a rolling dip to a road so that water is less erosive as it travels across the road (Access Road Improvement). All work in channels would involve the use of NRCS hydrological engineering procedures and manuals. Culvert and bridge projects will require prior review and approval by the County Flood Control District, Building and Safety, and the appropriate Fire Department. Any additional conditions required by these departments will be incorporated into the project design.

Temporary increases in sedimentation and turbidity levels in the stream near the work area may occur as a result of construction activities. The potential for temporary impacts to water quality during construction will be offset to a less than significant level by the Protection Measures detailed in Table 3 of the Project Description. Additionally, temporary adverse effects during construction would be offset by the long-term beneficial effects associated with water quality improvements directly tied to the reduction of sediment entering stream habitats in the Project area.

Following is a summary of the Protection Measures for water quality:

- Erosion control and sediment detention devices shall be incorporated into the project design and installed to prevent sediment input to streams. Sediment collected in these devices shall be disposed of away from the collection site and outside riparian areas or flood hazard areas. These devices shall be inspected before and after rain events to ensure they are functioning properly.
- All contaminated spoil, rubbish, creosote-treated wood, raw cement/concrete or washings thereof, asphalt, paint or other coating material, oil or other petroleum products, or any other substances which could be hazardous to aquatic or terrestrial life, resulting from project related activities, shall be prevented from contaminating the soil and/or entering waterbodies.
- Hand removal of invasive plants, rather than pesticides, shall be used whenever possible. Herbicides/fungicides/pesticides shall be applied sparingly when needed for invasive plant removal and in such a way as to be protective of water quality, and in accordance with any local agency or manufacturer usage restrictions. Application shall be spot applied directly to vegetation and far enough away from waterbodies to prevent discharge or migration to them. Only herbicides that do not contain surfactants shall be used where there is any potential for migration into waters of the state. Herbicides shall not be applied when winds exceed 5 miles per hour or within 96 hours of forecasted rain.
- For upland practices that require plant establishment (*e.g.*, Diversions and Filter Strips, see Table 1 in the Project Description), fertilizers may be used only where poor soil structure would prevent establishment of new plantings.
- Except as noted, no soil amendments shall be used in the stream bed or bank to hasten or improve the growth of critical area plantings. Soil amendments shall only be used when the establishment of new plants is prohibited by poor soil conditions. In most circumstances, organic amendments shall be used to ensure successful establishment of revegetation. In situations where organic amendments will not guarantee adequate establishment of vegetation, application rates for non-organic soil amendments shall be based on soil nutrient testing and shall utilize slow release or split applications to minimize leaching or runoff into water bodies

The following additional restrictions are included in the description for the Irrigation System and Tailwater Recovery practice to protect water quality (see Table 1 of the Project Description):

- Nutrient management measures, pest management measures, and irrigation system management are an essential component of this practice, and will be planned and implemented to limit chemical-laden tailwater as much as practical.
- Basins may be placed within a 100 foot setback, but only when the farmable or grazing area is already within a 100 foot setback; existing riparian vegetation will not be removed in order to install a tailwater recovery basin.
- Storage basins will be sized to provide adequate retention time for the breakdown of chemicals contained in runoff.
- Seepage of chemical-laden water from a storage facility will be controlled to the extent possible by using natural soil liners, commercial liners or other approved methods.

e,f) Any fill moved and/or placed within the one hundred year floodplain would be done in a manner to ensure that the flood capacity of the stream is not altered (*i.e.*, downstream properties would not be threatened by a higher likelihood of flooding). No fill will be placed in the flood hazard area unless it is accompanied by an analysis prepared by a civil engineer showing that there will be no rise in the base flood elevation and no off-site impact. Work carried out under the proposed Project would not expose people or structures to a significant risk of loss, injury or death. Practices that include impoundment of water will be limited in size (embankment height and volume) and designed to meet geotechnical and engineering standards and regulations. Additionally, no alterations would occur to the course or flow of flood waters and no need for private or public flood control projects is anticipated.

g-k) The proposed Project would not result in depletion of groundwater. Temporary changes in the course and direction of surface water flow could result during construction activities (which in some cases may require temporary dewatering of a workspace), but this is not expected to have any impacts to local groundwater table levels. The Project does not have the potential to overdraft or degrade groundwater or otherwise reduce the amount of water available for public water supplies.

The Project will be in compliance with water quality standards. NRCS/CRCD will obtain and comply with conditions of a 401 Water Quality Certification to be issued by the Central Coast Regional Water Quality Control Board and therefore work undertaken as part of this Project will not violate water quality standards or waste discharge requirements.

**Cumulative Impacts:** Since no significant impacts to water resources or flooding would occur, the Project would not contribute considerably to cumulative impacts.

**Mitigation and Residual Impact:** No mitigation is necessary as the project's impacts to water resources or flooding are less than significant. In fact, water quality improvements are an expected benefit of the proposed Project.



## 5.0 INFORMATION SOURCES

### 5.1 County of Santa Barbara Comprehensive Plan

<input checked="" type="checkbox"/>	Seismic Safety/Safety Element	<input checked="" type="checkbox"/>	Conservation Element
<input checked="" type="checkbox"/>	Open Space Element	<input checked="" type="checkbox"/>	Noise Element
<input type="checkbox"/>	Coastal Plan and Maps	<input type="checkbox"/>	Circulation Element
<input checked="" type="checkbox"/>	ERME	<input type="checkbox"/>	

### 5.2 Other Sources

<input type="checkbox"/>	Field work	<input type="checkbox"/>	Ag Preserve maps
<input type="checkbox"/>	Calculations	<input type="checkbox"/>	Flood Control maps
<input type="checkbox"/>	Project plans	<input checked="" type="checkbox"/>	Other technical references (reports, survey, etc.)
<input type="checkbox"/>	Traffic studies	<input type="checkbox"/>	Planning files, maps, reports
<input type="checkbox"/>	Records	<input type="checkbox"/>	Zoning maps
<input type="checkbox"/>	Grading plans	<input type="checkbox"/>	Soils maps/reports
<input type="checkbox"/>	Elevation, architectural renderings	<input checked="" type="checkbox"/>	Plant maps
<input checked="" type="checkbox"/>	Published geological map/reports	<input type="checkbox"/>	Archaeological maps and reports
<input type="checkbox"/>	Topographical maps	<input checked="" type="checkbox"/>	Other
		<input type="checkbox"/>	As cited throughout document
		<input type="checkbox"/>	
		<input type="checkbox"/>	

## 6.0 PROJECT SPECIFIC (*short- and long-term*) AND CUMULATIVE IMPACT SUMMARY

As discussed throughout this document, the Project would have no impact, or a less than significant impact to aesthetics, agricultural resources, biological resources, cultural resources, energy, geologic processes, hazardous materials/risk of upset, historical resources, land use, noise, public facilities, recreation, transportation/circulation, water resources. The Project would have a potentially significant but mitigable impact on fire protection. The Project's contribution to cumulative impacts in any issue area is not considerable.

## 7.0 MANDATORY FINDINGS OF SIGNIFICANCE

Will the proposal result in:	Poten. Signif.	Less than Signif. with Mitigation	Less Than Signif.	No Impact
1. 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?			✓	
2. Does the project have the potential to achieve short-term to the disadvantage of long-term environmental goals?				✓
3. 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.)				✓
4. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		✓		
5. Is there disagreement supported by facts, reasonable assumptions predicated upon facts and/or expert opinion supported by facts over the significance of an effect which would warrant investigation in an EIR ?				✓

1) The Project is designed to reduce erosion and sedimentation and improve riparian and wildlife habitat quality in the County’s watersheds, and as such would have a long-term beneficial, cumulative impact on water quality and the health of natural resources throughout the Project implementation areas. The number of individuals of special status species could be reduced by incidental take, however, such take will be minimal and only occur when authorized by the FWS and NMFS. The overall impact is therefore less than significant (See also Sections 3.4 Biological Resources, and 3.16 Water Resources/Flooding).

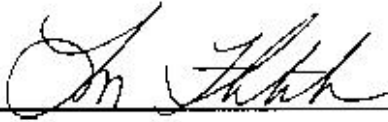
4) The Project has the potential to have significant effects in the area of Fire Protection. However, with incorporation of mitigation measures the potential for those effects is reduced to a less than significant level.

2,3,5) The Project will not achieve short-term goals to the disadvantage of long term goals, nor will it have cumulative impacts in any of the checklist areas. Additionally, there are no disagreements over the significance of an effect which would warrant an EIR.

## Environmental Review Action

### On the basis of the Initial Study, I find:

- \_\_\_\_\_ that the proposed project WILL NOT have a significant effect on the environment and, therefore, recommend that a Negative Declaration (ND) be prepared.
- ✓\_\_\_\_\_ that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures incorporated into the REVISED PROJECT DESCRIPTION would successfully mitigate the potentially significant impacts. Staff recommends the preparation of an MND.
- \_\_\_\_\_ that the proposed project MAY have a significant effect on the environment, and recommend that an EIR be prepared.
- \_\_\_\_\_ that from existing documents (previous EIRs, etc.) that a subsequent document (containing updated and site-specific information, etc.) pursuant to CEQA Sections 15162/15163/15164 should be prepared.



**Lon Fletcher**  
**President, Cachuma Resource Conservation District Board**

10-2-08

**October 2, 2008**

**APPENDICES:**

The Appendices are available for review at the Cachuma Resource Conservation District, or online at: <http://www.suscon.org/pir/watersheds/SantaBarbaraMND.asp>

**Appendix A.** Attachments to Project Description

Attachment 1. Regional Water Quality Control Board's 303(d) list of impaired waterbodies in Santa Barbara County

Attachment 2. Proposed Size Limits for the Conservation Practices

Attachment 3. Approved Plant List

Attachment 4. NRCS Environmental Assessment Worksheet

Attachment 5. NRCS/SHPO Cultural Resources Agreement

Attachment 6. NRCS/Landowner Cooperator Agreement

Attachment 7. NRCS Conservation Planner Certification Process

**Appendix B.** Watersheds of Santa Barbara County

**Appendix C.** Comments on Draft MND and Response to Comments

Appendix A  
Attachments to Project Description

## **Attachment 1**

Waterbodies in Santa Barbara County on the 303(d) list of impaired waterbodies

Watershed	Creek	Type of pollution	Miles Affected
<b>Santa Maria</b>			
Sisquoc	Alamo Creek	Pathogens	7.8
Guadalupe	Bradley Canyon Creek	Pathogens, nutrients	17
	Bradley Channel	Pathogens, nutrients	3.1
	Cuyama River	Boron	134
	Main Street Canal	Nutrients	5.1
	Orcutt Creek	Nutrients, pesticides, pathogens, boron	10
	Santa Maria River	Nutrients, pesticides, pathogens	5.1
<b>San Antonio</b>	Casmalia Canon Creek	Sediment	5
	San Antonio Creek (Las Flores bridge @ Hwy 135 d/s to RR Bridge)	Nutrients, boron	14
	Shuman Canyon Creek	Sediment	8.5
<b>Santa Ynez</b>	Santa Ynez River (d/s of Lompoc to Ocean)	Nutrients, salinity/TDS/chlorides, sediment	3.8
	Santa Ynez River (Cachuma Lake to below Lompoc)	Salinity/TDS/chlorides, sediment	43
Lompoc	Pacific Ocean at Ocean Beach	Pathogens	0.06
<b>South Coast</b>			
Arguello	Bell Creek	Nutrients	1.1
	Canada de la Gaviota	Boron	7
	Pacific Ocean at Gaviota Beach	Pathogens	0.06
	Pacific Ocean at Jalama Beach	Pathogens	0.06
	Pacific Ocean at Refugio Beach	Pathogens	0.06
Goleta	Carneros Creek	Nutrients	3.4
	Glen Annie Canyon	Nutrients	5.7
	Goleta Slough	Pathogens, priority organics	196 acres
Santa Barbara	Arroyo Burro Creek	Pathogens	6.1
	Pacific Ocean at Arroyo Burro Beach	Nutrients	0.06
	Mission Creek	Pathogens, unknown toxicity	8.6
	Pacific Ocean at mouth of Mission Creek	Pathogens	0.06
	Pacific Ocean at mouth of Sycamore Canyon	Pathogens	0.06
	Pacific Ocean at Hope Ranch Beach	Pathogens	0.06

Waterbodies in Santa Barbara County on the 303(d) list of impaired waterbodies, type of pollution, and miles of stream affected (2006 list pending EPA approval).

Montecito	Pacific Ocean at Hammonds Beach	Pathogens	0.06
Carpinteria	Arroyo Paredon	Nutrients, boron	5.2
	Carpinteria Creek	Pathogens	5.8
	Carpinteria Marsh	Nutrients, organic enrichment/low dissolved O <sub>2</sub> , priority organics	188 acres
	Franklin Creek	Nutrients	2.8
	Pacific Ocean at mouth of Rincon Creek	Pathogens	0.06
	Rincon Creek (including portions in Ventura County)	Toxicity, boron	10



## **Attachment 2**

Practice Size Limits

Proposed Size Limits for the Conservation Practices Santa Barbara County Permit Coordination Program					
Conservation Practice (FOTG #)		Length (feet)	Area (acres)	Soil Disturbance (cubic yards)	Other Dimensions
<b>1. Access Road Improvements (560)</b>	<i>Average:</i>	5280 (1 mile)	2	1500	
	<i>Maximum:</i>	21,120 (4 miles)	6	3000	
<b>2. Diversion (Upland Flow Interceptors) (362)</b>	<i>Average:</i> On farms	5000	1.5	1500	assume 10 ft wide, 2.5 ft deep
	<i>Maximum:</i> On farms	10,000	2.5	3000	assume 10 ft wide, 2.5 ft deep
	<i>Average:</i> On rangeland	1000	0.5	300	assume 10 ft wide, 2.5 ft deep
	<i>Maximum:</i> On rangeland	2500	1.25	750	assume 10 ft wide, 2.5 ft deep
<b>3. Filter Strip (393)</b>	<i>Average:</i> On farms	5280 (1 mile)	2	<50	
	<i>Maximum:</i> On farms	10,560 (2 miles)	3.5	<50	
<b>4. Grassed Waterway (412)</b>	<i>Average:</i> On farms	2500	2	3200	Assume 30 ft wide; 1 ft average depth
	<i>Maximum:</i> On farms	4000	5	8000	Assume 30 ft wide; 3 ft maximum depth
	<i>Average:</i> Field ditches	2500	0.5	800	Assume 8 ft wide; 1 ft average depth
	<i>Maximum:</i> Field ditches	5280 (1 mile)	1.5	2400	Assume 12 ft wide; 3 ft maximum depth
<b>5. Irrigation System and Tailwater Recovery (447)</b>	<i>Maximum:</i> Temporary water storage basin	N/A	0.5	6500	
<b>6. Pipeline (516)</b>	<i>Average:</i> Buried pipe through stream and riparian zone	100	100 ft <sup>2</sup>	15	Assume 4 ft deep, 1 ft wide Max 2" diameter pipe
	<i>Maximum:</i> Buried pipe through stream and riparian zone	200	200 ft <sup>2</sup>	30	Assume 4 ft deep, 1 ft wide Max 2" diameter pipe
	<i>Average:</i> Upland rangeland	10,560 (2 miles)	0.5	800	Assume 4 ft deep, 1 ft wide Max 2" diameter pipe
	<i>Maximum:</i> Upland rangeland	5 miles	1	2000	Assume 4 ft deep, 1 ft wide Max 2" diameter pipe
<b>7. Ponds (378)</b>	<i>Average:</i> New pond installation	N/A	0.25	3000	
	<i>Maximum:</i> New pond installation	N/A	0.5	6000	

Proposed Size Limits for the Conservation Practices Santa Barbara County Permit Coordination Program					
Conservation Practice (FOTG #)		Length (feet)	Area (acres)	Soil Disturbance (cubic yards)	Other Dimensions
<b>8. Sediment Basin (350)</b>	<i>Average:</i>	N/A	0.3	3500	Embankment height: 4 feet
	<i>Maximum:</i>	N/A	0.5	6500	Embankment height: 8 feet
<b>9. Underground Outlet (620)</b>	<i>Average:</i>	600	0.1	600	Assume 5 ft deep, 5 ft wide
	<i>Maximum:</i>	1500	0.2	1500	Assume 5 ft deep, 5 ft wide
<b>10. Channel Stabilization (584)</b>	<i>Average:</i> Using grade stabilization structures				See Grade Stabilization Structure practice for dimensions
	<i>Maximum:</i> Using grade stabilization structures				See Grade Stabilization Structure practice for dimensions
	<i>Average:</i> Using one-time sediment removal	<del>500</del> <u>300</u>	<del>0.5</del> <u>0.3</u>	<del>4000</del> <u>700</u>	
	<i>Maximum:</i> Using one-time sediment removal	<del>4000</del> <u>500</u>	<del>0.7</del> <u>0.5</u>	<del>4700</del> <u>1000</u>	
<b>11. Grade Stabilization Structure (410)</b>	<i>Average:</i>	3 structures per 500 ft of gully	0.2	900 (300 cy per structure)	300 cy/structure = 50 cy per structure + 250 cy for temporary in-channel work
	<i>Maximum:</i>	10 structures per 1000 ft of gully	0.3	3000 (300 cy per structure)	300 cy/structure = 50 cy per structure + 250 cy for temporary in-channel work
<b>12. Limited Vegetation Removal to Minimize Erosion (326)</b>	<i>Average:</i>	50	500ft <sup>2</sup>	N/A	Removal of vegetation to protect bank or infrastructure; no grading required
	<i>Maximum:</i>	100	0.05	N/A	Removal of vegetation to protect bank or infrastructure; no grading required
<b>13. Critical Area Planting (342)</b>	<i>Average:</i> Stream bank	1500	0.5	N/A	Grading occurs during slope repair; see Stream Bank Protection practice for dimensions
	<i>Maximum:</i> Stream bank	2500	1	N/A	Grading occurs during slope repair; see Stream Bank Protection practice

Proposed Size Limits for the Conservation Practices Santa Barbara County Permit Coordination Program					
Conservation Practice (FOTG #)		Length (feet)	Area (acres)	Soil Disturbance (cubic yards)	Other Dimensions
					for dimensions
	<i>Average:</i> Damaged land upland gullies	N/A	3	3000	
	<i>Maximum:</i> Damaged land upland gullies	N/A	5	6000	
<b>14. Restoration and Management of Declining Habitats (643)</b>	<i>Average:</i> Instream invasive plant removal	500	0.5	N/A	
	<i>Maximum:</i> Instream invasive plant removal	2000	2.5	N/A	
	<i>Average:</i> Cross fencing in uplands	10,560 (2 miles)	N/A	N/A	Top wire: 4 ft high; Bottom wire: 15" from ground; Assume steel t-posts 15 ft apart; H-braces ¼ mile apart; 18 inches deep
	<i>Maximum:</i> Cross fencing in uplands	5 miles	N/A	N/A	Top wire: 4 ft high; Bottom wire: 15" from ground; Assume steel t-posts 15 ft apart; H-braces ¼ mile apart; 18 inches deep
	<i>Average:</i> Sediment removal for existing ponds	N/A	1	10,000	
	<i>Maximum:</i> Sediment removal for existing ponds	N/A	1.5	15,000	
<b>15. Stream Bank Protection (580)</b>	<i>Average:</i> Bioengineered	1000	1	2000	May include toe rock per Corps RGP 70
	<i>Maximum:</i> Bioengineered	2000	2.3	4000	May include toe rock per Corps RGP 70
	<i>Average:</i> Ungrounted rock	300	0.1	300	

Proposed Size Limits for the Conservation Practices Santa Barbara County Permit Coordination Program					
Conservation Practice (FOTG #)		Length (feet)	Area (acres)	Soil Disturbance (cubic yards)	Other Dimensions
	<i>Maximum:</i> UngROUTED rock	500	0.2	500	
<b>16. Stream Habitat Improvement and Mngt (395)</b>	<i>Maximum:</i>	3000	Varies	Varies	May include combination of barrier removal, addition of habitat features, and planting riparian vegetation
	<i>Average:</i> Barrier removal	50	0.25	2000	
	<i>Maximum:</i> Barrier removal	100	0.5	4000	
	<i>Maximum:</i> Install rock weirs	3 structures per 500 ft of channel	0.2	900 (300 per structure)	Grading dimensions are for actual structure (max 50 cy) and temporary channel work (max 250 cy); Max drop height 2 ft; Max jump height 1 ft (for fish to get u/s during high flows).
	<i>Average:</i> Planting riparian vegetation	1500	0.5	850	Soil disturbance based on bank treatment prior to planting
	<i>Maximum:</i> Planting riparian vegetation	2500	1	1700	Soil disturbance based on bank treatment prior to planting
<b>17. Stream Crossing (578)</b>	<i>Maximum:</i> Bridge installment	100	0.1 (0.25 total work area)	1000	Assume 50 ft wide
<b>18. Structure for Water Control (587)</b>	<i>Average:</i> New or modified culvert	50	0.1	300	<u>New culvert – 80 cfs or less for a 10 year, 24 hour storm</u>
	<i>Maximum:</i> New or modified culvert	100	0.25	1000	

## **Attachment 3**

Approved Plant List

## Approved Plant List

### Non-invasive Non-native Species

<i>Scientific Name</i>	<i>Common Name</i>	<i>Growth Habit*</i>	<i>Annual/ Perennial</i>
<i>Atriplex semibaccata</i>	Australian saltbush	F	P
<i>Brassica rapa</i>	Common mustard	F	A/Bi
<i>Medicago sativa</i>	Alfalfa	F	P
<i>Trifolium fragiferum</i> <sup>1</sup>	Strawberry clover	F	P
<i>Trifolium hirtum</i> <sup>+</sup>	<del>Rose clover</del>	<del>F</del>	<del>A</del>
<i>Trifolium incarnatum</i> <sup>1</sup>	Crimson clover	F	A
<i>Vicia atropurpurea</i> <sup>1</sup>	Purple vetch	F	A
<i>Vicia dasycarpa</i> <sup>1</sup>	Lana woolypod vetch	F	A
<i>Agropyron spp.</i>	Wheatgrasses	G	P
<i>Avena sativa</i>	Oats	G	A
<i>Bromus hordeaceus</i>	'Blando' brome, Soft chess, Soft brome	G	A
<i>Dactylis glomerata</i>	'Berber' orchardgrass	G	P
<i>Festuca ovina glauca</i>	Sheep fescue	G	P
<i>Hordeum vulgare</i> <sup>1</sup>	Common barley	G	A
<i>Secale cereale</i>	Cereal rye	G	A
<i>Sorghum sudanese</i>	Sudangrass	G	A
<i>Vulpia myuros var. hirsute</i> <sup>++</sup>	<del>'Zorro' annual fescue</del>	<del>G</del>	<del>A</del>
	Sterile wheat	G	A
<i>Rosemarinus officinalis</i>	Dwarf rosemary	S	P

<sup>1</sup> These species may be used as fast-establishing erosion control on stream banks together with native plantings; all other non-native species listed will be used outside the stream corridor for use in filter strips, diversions, grassed waterways, and upland gully repair.

### Native Species

<i>Scientific Name</i>	<i>Common Name</i>	<i>Growth Habit</i>	<i>Annual/ Perennial</i>
<i>Achillea millefolium</i>	Yarrow	F	P
<i>Anaphalis margaritacea</i>	Pearly Everlasting	F	P
<i>Asclepias fascicularis</i>	Milkweed	F	P
<i>Aster chilensis</i>	Aster	F	P
<i>Atriplex patula</i>	Fat-hen saltbush	F	A
<i>Euthemia occidentalis</i>	Goldenrod	F	P
<i>Heliotropium curassivicum</i> <i>var. oculatum</i>	Heliotrope	F	P
<i>Potentilla gracilis</i>	Slender cinquefoil	F	P
<i>Stachys ajugoides</i> or <i>S.</i> <i>bullata</i>	Hedgenettle	F	P
<i>Agrostis hooveri</i>	California bentgrass	G	P
<i>Agrostis exerata</i>	Spike bentgrass	G	P
<i>Bromus carinatus</i>	California brome	G	P
<i>Bromus carinatus</i>	'Cucamonga' California brome	G	A
<i>Deschampsia elongata</i>	Slender hairgrass	G	P
<i>Distichlis spicata</i>	Seashore saltgrass	G	P
<i>Elymus glaucus</i>	Blue wildrye	G	P
<i>Hordeum brachyantherum</i> <i>ssp. californicum</i>	California barley	G	P
<i>Hordeum brachyantherum</i>	Meadow barley	G	P
<i>Koeleria macrantha</i>	June grass	G	P



<i>Scientific Name</i>	<i>Common Name</i>	<i>Growth Habit</i>	<i>Annual/ Perennial</i>
<i>Leymus triticoides</i>	Creeping wildrye	G	P
<i>Muhlenbergia rigens</i>	Deer grass	G	P
<i>Nassella pulchra</i>	Purple needlegrass	G	P
<i>Phalaris californica</i>	Canarygrass	G	P
<i>Stipa lepida</i>	Foothill stipa	G	P
<i>Vulpia microstachys</i>	Small fescue	G	A
<i>Carex barbarae</i>	Basket sedge	GL	P
<i>Carex praegracilis</i>	Clustered field sedge	GL	P
<i>Eleocharis spp.</i>	Spikerush species	GL	P
<i>Juncus balticus</i>	Baltic rush	GL	P
<i>Juncus patens</i>	Blue green rush	GL	P
<i>Juncus phaeocephalus</i>	Brown headed rush	GL	P
<i>Scirpus americanus</i>	Three-square bulrush	GL	P
<i>Scirpus microcarpus</i>	Small-fruited bulrush	GL	P
<i>Artemisia californica</i>	California sagebrush	S	P
<i>Artemisia douglasiana</i>	Mugwort	S	P
<i>Atriplex lentiformis</i>	Quail bush	S	P
<i>Atriplex lentiformis ssp. breweri</i>	Brewers salt brush	S	P
<i>Baccharis pilularis</i>	Coyote brush	S	P
<i>Baccharis salicifolia</i>	Mule fat	S	P

<i>Scientific Name</i>	<i>Common Name</i>	<i>Growth Habit</i>	<i>Annual/ Perennial</i>
<i>Cephalanthus occidentalis</i>	California buttonwillow	S	P
<i>Cercis occidentalis</i>	Western redbud	S	P
<i>Dendromecon rigida</i>	Bush poppy	S	P
<i>Eriogonum arborescens</i>	Santa Cruz Island buckwheat	S	P
<i>Eriogonum fasciculatum</i>	California buckwheat	S	P
<i>Helianthemum scoparium</i>	Rockrose	S	P
<i>Holodiscus discolor</i>	Oceanspray	S	P
<i>Lonicera involucrata</i>	Black twinberry	S	P
<i>Lotus scoparius</i>	Common deerweed	S	P
<i>Malosma laurina</i>	Sumac	S	P
<i>Prunus ilicifolia</i>	Hollyleaf cherry	S	P
<i>Prunus virginiana</i> var. <i>demissa</i>	Western chokeberry	S	P
<i>Rhamnus californica</i>	Coffeeberry	S	P
<i>Ribes spp.</i>	Currant species	S	P
<i>Rosa californica</i>	California wildrose	S	P
<i>Rubus parviflorus</i>	Thimbleberry	S	P
<i>Rubus ursinus</i>	California blackberry	S	P
<i>Sambucus mexicana</i>	Blue elderberry	S	P
<i>Vaccinium ovatum</i>	California huckleberry	S	P

<i>Scientific Name</i>	<i>Common Name</i>	<i>Growth Habit</i>	<i>Annual/ Perennial</i>
<i>Acer macrophyllum</i>	Big leaf maple	T	P
<i>Acer negundo ssp. californicum</i>	Box elder	T	P
<i>Alnus rhombifolia</i>	White alder	T	P
<i>Arbutus menziesii</i>	Pacific madrone	T	P
<i>Cornus sericea</i>	American dogwood	T	P
<i>Heteromeles arbutifolia</i>	Toyon	T	P
<i>Platanus racemosa</i>	Western sycamore	T	P
<i>Populus fremontii</i>	Fremont cottonwood	T	P
<i>Populus trichocarpa</i>	Black cottonwood	T	P
<i>Salix exigua</i>	Sandbar willow	T	P
<i>Salix gooddingii</i>	Black willow	T	P
<i>Salix laevigata</i>	Red willow	T	P
<i>Salix lasiandra</i>	Yellow willow	T	P
<i>Salix lasiolepis</i>	Arroyo willow	T	P
<i>Salix sitchensis</i>	Coulter willow	T	P
<i>Symphoricarpos albus</i>	Snowberry	T	P
<i>Umbellularia californica</i>	California bay	T	P

\* **Growth habit:** F- Forb; G-Grass; GL- Grasslike; S-Shrub; T-Tree

## **Attachment 4**

NRCS Environmental Assessment Worksheet

## CALIFORNIA

### ENVIRONMENTAL ASSESSMENT WORKSHEET

Date:

Client and/or Business Name:		
Purpose and Need Statement (Client Objective):		
Description of Proposed Project:		
Treatment Unit: Farm #:                      Tract #:                      Field #:		
Watershed:		
Name of Person(s) Completing Worksheet:		
<p>• This worksheet is used to document the effects a proposed activity may have on natural, human, and cultural resources, in compliance with NEPA and NRCS NEPA Policy (General Manual 190, Section 410). • Effects are documented in terms of: Short Term - those that occur during installation/construction; and Long Term those that occur during and after the activity is finished. Onsite and offsite, positive and negative, and cumulative effects must be documented. If mitigation is proposed effects must be documented.</p>		
	<b>Environmental Effects Element</b>	<b>Description of Effects</b>
I.	<b>SOIL:</b>	
a.	Soil surface (e.g. disruptions, destruction of structure, displacements, compaction, deposition, removal of organic material, improvements)?	
b.	Soil fertility?	
c.	Unique geologic or natural physical features (e.g. covering, modification, partial destruction, protection, etc.)?	
d.	Wind or water erosion of soils, or soil erodibility, either on or off site?	
e.	Siltation, deposition or erosion which may impact or modify the channel of a river, stream, ocean shoreline, or other water?	
f.	Exposure of people or property to geologic hazards such as landslides, mudslides, subsidence or similar hazards?	
g.	Number of acres of prime &/or unique cropland?	
h.	Other?	
II.	<b>WATER:</b>	
a.	Stream channel dimension, pattern, and/or slope (including down stream impacts)?	
b.	Surface water infiltration rates, drainage patterns, velocities and/or volumes?	
c.	Quality or quantity of discharge into surface waters, including, but not limited to temperature, nutrients, bacteria, or turbidity?	
d.	Quantity of ground waters through either direct additions/withdrawals or interception of aquifers?	
e.	Ground water quality?	
f.	Amount of water available for public use?	
g.	Exposure of people or property to flooding?	
h.	Other?	

	<b>Environmental Effects Element</b>	<b>Description of Effects</b>
III.	<b>AIR:</b>	
a.	Air quality?	
b.	Odors?	
c.	Other?	
IV	<b>PLANTS:</b>	
a.	Diversity of species, or numbers of any plant species (upland, riparian, wetland, etc.)?	
b.	Numbers or health & vigor of any unique, species of concern, rare, threatened or endangered plants?	
c.	Normal recruitment of existing, native species?	
d.	Other?	
V.	<b>ANIMALS:</b>	
a.	Diversity of species, or numbers of any species of animals (birds, mammals, fish, invertebrates)?	
b.	Unique, species of concern, rare, threatened, or endangered animals (review T&E lists)?	
c.	Native animals (migration barriers, competition from non-natives, etc.)?	
d.	Existing fish & wildlife habitat or critical habitat (nesting, spawning, etc.)?	
e.	Human activity during sensitive life stages (nesting, spawning, etc.)?	
f.	Other?	
VI	<b>OTHER HUMAN CONSIDERATIONS:</b>	
I.		
a.	Noise levels?	
b.	Present or planned land uses?	
c.	Aesthetic resource, scenic value, or natural area?	
d.	Recreational opportunities?	
e.	Public health and safety?	
f.	Public interest related to the site or watershed?	
g.	Economic impacts to the clients, landowners, or public?	
h.	Client well being?	
i.	Environmental justice?	
J.	Other?	

**SPECIAL ENVIRONMENTAL CONCERNS:** Check each category. If the effect is adverse or positive to any of the following, explain in the notes section or on an attachment. . Under **Present** indicate **Yes** or **No**. For **Cultural Resources** purposes, if the activity is an "Undertaking", separate primary documentation is required. For other **Concerns** supplemental documentation may be required.

Concerns	NRCS Policy Procedure	Present	Positive/Adverse Effect
<b>Threatened or Endangered Species</b> (To ensure actions do not jeopardize T&E species)	190 GM- 410.22, California Endangered Species Handbook		
<b>Natural Area</b> (To recognize and consider impacts when planning and recommending actions adjacent to nearby Natural Areas)	190 GM 410.23		
<b>Landscape Resource</b> (To preserve and enhance scenic beauty or improve landscape)	190 GM 410.24		
<b>Floodplain Management</b> (To conserve preserve and restore existing natural and beneficial values of floodplains)	190 GM 410.25		
<b>Wetland</b> (To protect, maintain and restore wetland functions and values)	90 GM 410.26, NFSA Manual		
<b>Stream Channel Modification</b> (To maintain and restore streams, wetlands and riparian vegetation as functioning parts of a viable ecosystem)	190 GM 410.27-28		
<b>Riparian Area</b> (To protect, maintain, and restore riparian areas)	190 GM 411		
<b>Prime and Unique Farmland</b> (To minimize unnecessary and irreversible conversion of farmland to non agricultural use)	310 GM 403		
<b>Cultural Resources</b> (To preserve and prevent the destruction or degradation of cultural resources, including historical archaeological sites and traditional cultural places)	420 GM 401		
<b>Coastal Zone Management Area</b> (To ensure conservation of coastal resources)	Federal Register 6/25/99, PL 92-583		
<b>Wild and Scenic River</b> (Consideration of impacts when actions affect areas adjacent to Wild and Scenic Rivers)	Federal Register 9/7/82, p. 39454		
<b>Special Aquatic Site</b> (To protect, restore and maintain special aquatic sites)	Federal Register 12/24/80 EPA 404(b)(1) 230.3 & 230.10		
<b>Essential Fish Habitat</b> (To conserve and enhance fish habitat for salmon, shellfish, marine fish)	50 CFR 600.905-930 Federal Register 12/19/97		

**OTHER CONSIDERATIONS**

Documentation of the following questions can be completed here.

a. If wetland impacts are proposed, conduct a wetland determination and complete the NRCS minimal effects procedure per the Food Security Act Manual. Make certain that the client contacts the US Army Corps of Engineers to determine the need for a Permit under Section 404 of the Clean Water Act and Section 10 Rivers and Harbors Act and the Regional Water Quality Control Board for Section 401 Clean Water Act certification.

\_\_\_\_\_

b. If a stream, lake or other water body is involved the client should contact the California Department of Fish and Game for a Section 1600 Stream Alteration Agreement.

\_\_\_\_\_

c. Document mitigation planned or required to avoid, minimize, or compensate for negative impacts:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

d. Document communications with USFWS, NMFS, Corps of Engineers, EPA, CDFG, RWQCB, NRCS Biologist, etc.

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

e. Discuss any **Cumulative Effects** (beneficial or adverse):

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

f. Alternatives to Proposed Action that were considered (include reasons why alternative was not selected):

1. No Action: \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

g. Remarks or Other Considerations:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**RECOMMENDATION** (check one)

Based upon the conclusions below, I find that this action will not have significant adverse impacts on the quality of the human environment. No further environmental analysis is required. The assessment indicates work should proceed.

Further analysis is necessary, including the possible need to prepare an Environmental Impact Statement or a Finding Of No Significant Impact. The landowner will be informed not to proceed until further assessment is completed.

h. Conclusions, based upon the assessment (rationale for the findings above):

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Signature (Planner)	Title	Date
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Reviewed/Concurred By	Title (District Conservationist)	Date
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## **Attachment 5**

NRCS/SHPO Cultural Resources Agreement

**STATE LEVEL AGREEMENT  
BETWEEN THE  
CALIFORNIA USDA NATURAL RESOURCES CONSERVATION SERVICE  
AND THE  
CALIFORNIA STATE HISTORIC PRESERVATION OFFICER  
REGARDING IMPLEMENTATION OF SOIL AND WATER  
CONSERVATION ASSISTANCE ACTIVITIES ON PRIVATE AND PUBLIC  
LANDS WITHIN THE STATE OF CALIFORNIA**

**WHEREAS**, the United States Department of Agriculture, Natural Resources Conservation Service (NRCS), carries out Conservation Technical Assistance programs for soil, water, and related resource conservation activities under the Soil Conservation and Domestic Allotment Act of 1936, Public Law 74-76, 16 U.S.C. 590 a-f, as amended; the Flood Control Act of 1944, Public Law 78-534, as amended; the Watershed Protection and Flood Prevention Act, Public Law 83-566, as amended, Section 6; the Flood Control Act of 1950, Public Law 81-516, Section 216; the Great Plains Act of 1956, Public Law 84-1021; the Agricultural and Food Act of 1981, Public Law 97-98, 95 Stat. 1213; the Agricultural Credit Act, Public Law 95-334, Title IV, Section 403; Food, Agriculture, Conservation, and Trade Act of 1990, Public Law 101-624; the Flood Control Act of 1936, Public Law 74-738; the Water Resources Planning Act of 1965, 42 U.S.C. 1962; the Food Security Act of 1985, Public Law 99-1989, as amended; and the Farm Security and Rural Investment Act of 2002, Public Law 107-171 and related authorities; and

**WHEREAS**, the NRCS National Headquarters, the Advisory Council on Historic Preservation (Council) and the National Conference of State Historic Preservation Officers (NCSHPO) executed a Programmatic Agreement, dated May 31, 2002, that contains requirements which must be included in State Level Agreements; and

**WHEREAS**, the purpose of this State Level Agreement is to tailor compliance procedures and requirements of the National Historic Preservation Act (NHPA) and the Section 106 implementing regulations to the particular conditions of the State of California; and

**WHEREAS**, the California NRCS, in consultation with the California State Historic Preservation Officer (SHPO), has determined that certain categories of its conservation programs and activities may affect properties listed in or eligible for listing in the National Register of Historic Places, and that these activities are therefore subject to review under Section 106 of the National Historic Preservation Act (NHPA) (16 U.S.C. 470f and 470h-2(f)) and the Council's implementing regulations at 36 CFR Part 800; and

**WHEREAS**, a streamlined NRCS process involving conservation technical assistance at the Field Office (county) level is appropriate to the large number of small undertakings on private property, the NRCS has determined there is: (1) the need for timely services to diverse NRCS customers dependent upon agricultural production, (2) the need to provide exempted categories, as detailed in Stipulation 3 of the national Programmatic Agreement for certain NRCS programs, activities, and technical assistance that will not affect historic properties, and (3) the need to reconcile the variable emergency directives contained in NRCS (7 CFR 624) and Council (36 CFR 800.12) regulations; and

**WHEREAS**, the remainder of NRCS responsibilities for compliance under Section 106 of the NHPA will be met by procedures consistent with the Council's regulations (36 CFR 800), and

**WHEREAS**, unless otherwise defined differently in this Agreement, definitions are applied as in 36 CFR 800.16; and

**WHEREAS**, the NRCS and the SHPO agree that in recognition of the sovereign status of federally recognized Indian Tribal governments, this statewide agreement does not apply to Tribal lands nor Tribal review of undertakings pursuant to Section 101(d)(2) of the NHPA. The NRCS is committed to seeking consultation protocols with individual Tribal Historic Preservation Officers or other individual governments of federally recognized Indian tribes;

**NOW THEREFORE**, the California NRCS and the California SHPO agree that a streamlined compliance process is desirable for NRCS conservation assistance activities; that the California NRCS shall carry out the activities covered by this Agreement in accordance with the preceding recitals and the following stipulations in order to take into account the effects of these activities on historic properties; and that these recitals and stipulations shall govern California NCRS compliance with Section 106 of the NHPA for these activities until this Agreement expires or is terminated.

## **STIPULATIONS**

The California NRCS shall ensure that the following stipulations are carried out:

- 1. Undertakings:** Federal actions that have the potential to affect historic properties are undertakings that require consultation with the State Historic Preservation Officer under the terms of this agreement or under the regulations for the NHPA at 36 CFR 800. Attachment 1 lists the conservation practices excluded as undertakings, except when such practices would disturb previously uncultivated ground or a change in crop requires original deep plowing or ripping. All practices installed in ground previously deep plowed or ripped to a depth of 3 feet or greater, and do not exceed this disturbance,

may be excluded as undertakings when a records search indicates that no known cultural resources are in the project area. If cultural resources are known for the area, they will be avoided or evaluated, if necessary, for the National Register of Historic Places. All other practices are undertakings. Field office staff will use Attachment 1 and the determination of depth of previous ground disturbance to determine subsequent actions. Each field office will submit a list of practices as exclusions or undertakings by contract number (when a contract exists) or by landowner name and tract number for general Conservation Technical Assistance to the Cultural Resources Specialist (CRS) on a quarterly basis.

**2. Area of Potential Effect:** The Area of Potential Effect (APE) will be determined by the project planner, Cultural Resources Technician (trained field office staff) and/or a CRS. The APE will include all proposed project activities (conservation practices) and any other areas of associated disturbance, such as staging areas. The APE will include, at a minimum, a 10-meter (~32 feet) buffer zone. An aggregate APE greater than 40 acres requires that a CRS complete the cultural resources review for the project. The APE size will be a category of the quarterly list in Stipulation 1.

**3. Identification of Historic Properties and Use of NRCS Personnel:** California NRCS field office personnel who have satisfactorily completed the national and state NRCS Cultural Resources training program are acceptable for designation as Cultural Resources Technician (CRT). A CRT may complete the initial cultural resources review for projects as permitted in this agreement. A CRT is restricted to review projects that are 40 acres or less in aggregate size as defined in Stipulation 2. The discovery of any cultural resources, other than isolated artifacts, immediately suspends a CRT's authority for completing the review for that project although the CRT may continue to investigate the APE for that project. No CRT has the authority or responsibility to make any judgments or decisions regarding discovered cultural resources. The State CRS will be notified of the discovery by e-mail by the following workday, with the particulars of the discovery including description, range, township, section and GPS coordinates in UTM's with NAD 83 or WGS 84 datum. A CRS or other professional specialist, as defined in the Secretary of Interior's Standards and Guidelines, will complete the review for the project.

**4. Access to Cultural Resources Information:**

Each field office will have a list of the applicable 7 ½' USGS topographical quad sheets for which the NRCS has acquired cultural resources information through the Co-operative Agreement (#65-9104-3-280) with SHPO. The agreement permits limited release of cultural resources information to NRCS employees and archaeological contractors in performance of their duties. If a

project location is on an available quad sheet, the CRT will request the pertinent information from the CRS.

If a particular quad sheet is not available, CRTs will initiate records search requests to Information Centers of the California Historical Resources Information System. They may not receive specific data such as site location coordinates or descriptions, but may receive a generalized response of the presence or absence of documented cultural resources within or adjacent the APE. They may also receive information related to previous survey or inventory, or lack thereof, of the APE. Previous survey or inventory of an APE, completed within ten years prior to the record search, with no cultural resources located precludes additional survey and, with documentation, the project may move forward, as with other negative reports. A CRT request for a records search will direct the Information Center to forward specific cultural resources information to the State CRS if the search produces a positive response for cultural resources in or adjacent the APE. The CRS may release specific data to the CRT for avoidance purposes during the conservation planning or otherwise assist the CRT in the field.

The CRT must destroy all sensitive or confidential cultural resources information upon finalizing the applicable conservation plan and with the installation of the conservation practices. The data may not be maintained other than at the State Office by the CRS. The data may not be given to the landowner. However, the landowner may request information directly from the Information Center. A breach in the confidentiality of cultural resources information is cause for suspension of the CRT's review authority, whereby the CRS will assume those responsibilities. Review authority may be reinstated upon a review of the causes and severity by the CRS, the employee's supervisor, and the involved employee, in consultation with SHPO.

- 5. Native American Consultation:** Consultation regarding cultural resources or other concerns will continue on a project-by-project basis with federally recognized tribes and all others as identified by the Native American Heritage Commission (NAHC). Many field offices have established working relationships with tribes that will enhance consultation procedures. In the event of no response from the NAHC within 30 days of a request for a Sacred Lands search and a list of contacts, field offices may consult with such groups for their input to projects. If no relationships exist, field offices may initiate consultation with local tribal groups, if such groups are interested in doing so.
- 6. Public Participation:** Public participation in the Section 106 process for actions under this agreement is restricted by confidentiality concerns of private landowners and the nature and degree of complexity of the undertakings. The nature of the undertakings is that of routine farming and ranching practices that are not complex and therefore are not subject to a public participation

requirement. Members of the public that have an interest in the cultural resources process may request additional information from the State Cultural Resources Specialist.

- 7. National Register of Historic Places:** All evaluations of cultural resources for the purpose of determining eligibility for inclusion in the National Register of Historic Places will be conducted by a CRS or other professional specialist, as defined in the Secretary of Interior's Standards and Guidelines. All unevaluated cultural resources will be treated as eligible for the National Register.
- 8. Avoidance:** NRCS will protect cultural resources in their original location to the fullest extent possible while assisting the landowner in planning and implementing conservation activities. If an historic property can not be avoided, NRCS will either terminate further implementation of the undertaking or initiate consultation with SHPO and follow the process as described in 36 CFR 800.
- 9. Project Annual Compliance Documentation:** NRCS shall provide SHPO, at a minimum, documentation for each undertaking that includes the results of the IC records search, Native American consultation, the area covered by the field investigations, the number and type of resources located, the number of resources avoided, the method of avoidance, and the identity of the person(s) conducting any cultural resources field work. The preceding applies to those undertakings where cultural resources were discovered. Previous survey, if completed within ten years of the date of the applicable record search, of an APE with negative or isolates-only findings precludes additional survey. If no cultural resources or only isolated artifacts are located within an APE, report forms (Attachment 2) documenting these findings will be compiled and submitted to SHPO with the annual summary. Projects associated with negative or isolates-only findings and previous negative or isolates-only surveys may proceed without a response from SHPO. Cultural resources will be recorded on the Department of Parks and Recreation series 523 forms.
- 10. SHPO Review:** Review of NRCS undertakings covered by and submitted to the SHPO in accordance with the terms of this agreement is assigned to the SHPO Project Review Unit. Either the Deputy SHPO or Supervisor of the Project Review Unit is authorized to sign consultation correspondence on behalf of the SHPO. As provided for at 36 CFR 800.3 (g) in expediting consultation for positive findings, NRCS may address the multiple steps of 36 CFR 800.3 through 800.6 in a single report submittal. If SHPO does not respond within 30 calendar days of a submittal, NRCS will document the absence of a reply and continue toward project implementation. If, within the 30-day review period, SHPO disagrees with any of the findings or documentation submitted by NRCS, the parties shall further consult to resolve

the objections. If the additional consultation does not resolve the objections, resolution shall be sought as specified in Stipulation 16d.

**11. Discovery Situations:** All discoveries, except human remains and associated funerary objects, will be treated according to NRCS General Manual (GM-Attachment 3) 420 Part 401.28. If the discovery is on public land, the appropriate state or federal agency will be notified and work will not proceed until their cultural resources requirements are satisfied or waived in writing. If human remains are identified in an APE, all activities will cease and the following steps, according to the California Health and Human Safety Code, 7050.5 and the California Environmental Quality Act, Section 15064.5 (d) and (e) will be taken:

- a. NRCS personnel will not allow further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains.
- b. The appropriate County Coroner will be notified.
- c. If the coroner determines the remains to be Native American, the coroner will contact the Native American Heritage Commission (NAHC) within 24 hours.
- d. The NAHC will identify the most likely descendent (MLD) who may make recommendations to the landowner or the person responsible for the work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in California Public Resources Code Section 5097.98.
- e. If the NAHC is unable to identify the MLD or the MLD failed to make a recommendation within 24 hours after being notified by the commission or the landowner or his authorized representative rejects the recommendation of the descendant, and mediation by the NAHC fails to provide measures acceptable to the landowner, the landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance.

**12. Emergencies:** The following procedures will ensure that protection of life and property in an emergency is accomplished while taking cultural resources into account to the maximum extent possible.

36 CFR 800.12(d) provides for exemption from the provisions of Section 106 when immediate rescue and salvage operations are conducted to preserve life or property.

In accordance with 36 CFR 800.12 (b) (2), when time and situations permit, the NRCS will: (1) complete a records search at the appropriate Information Center of The California Historical Resources Information System; (2) if the APE was previously inventoried and no historic properties or unevaluated cultural resources are present, work will proceed with SHPO and tribal

notification; (3) if the APE was not inventoried, the NRCS will attempt to do so or document and notify SHPO and the relevant tribe why the inventory would not occur; (4) the SHPO and tribe will be afforded an opportunity to comment within seven days or within the time available; (5) activities conducted under this stipulation will be included in the annual summary to SHPO.

**13. Training of NRCS Personnel:** Training of field personnel on NRCS cultural resources policy, procedures and field identification processes will occur when a need is identified by the Assistant State Conservationists for Field Operations. Attachment 4 is a print-out of the on-line NRCS cultural resources Modules 1-6, that define, describe and explain the cultural resources policy, procedures and processes. The modules are available through the USDA AgLearn web site. Additional training (Modules 7-8) for the history and prehistory of specific regions of California will be scheduled for field employees within 3-6 months of completion of Modules 1- 6. The focus of Modules 7 and 8 is area-specific artifact and site identification in the classroom and field. Also presented are area-specific overviews of the prehistory, ethnography and history, with handouts of pertinent readings, such as bottle and nail identification guides. Employees have access to Moratto's (1984, reprinted 2004) *California Archaeology*, Volume 8 (1978) of the *Handbook of North American Indians*, California, and Noel Justice's (2002) *Stone Age Spear and Arrow Points of California and the Great Basin*. Additional reference material is available at the NRCS State Office. Students have classroom access to and identification exercises of prehistoric teaching collections from the Anthropology Department at the University of California, Davis and privately owned historic artifact collections of bottles, square nails and other items. They also receive information relating to identifying and protecting traditional cultural places and human burial sites. Tribal representatives may also be invited to give presentations of Native American perspectives of cultural resources. If necessary, the NRCS will contract for expert assistance for an area in the delivery of the training for Modules 7-8.

**14. Curation Arrangements:** California NRCS will not collect and take ownership of cultural resources except where said resources originated in lands owned by NRCS (refer to GM 420 part 401.35(b)) and a curation agreement exists with a federally recognized facility. All cultural resource material is the property of the land managing agency (Federal, Tribe, etc.) or landowner. If the landowner permits, California NRCS may take temporary possession of cultural resources for analysis, dating, emergency conservation, etc. Ultimate curation of the material is the responsibility of the land managing agency or landowner. In the event of curation of federal collections, arrangements will be made with a facility that meets the standards at 36 CFR 79. NRCS will encourage the landowner to donate collections that have research value to an



appropriate institution or curation facility. NRCS will provide assistance, upon request, in coordinating arrangements with an institution or facility.

**15. Review of Field Office Procedures and Compliance:** A CRS will conduct a review of each CRT annually based, in part, on a comparison of the submitted list of exclusions, undertakings and APEs (as specified in Stipulations 1 and 2), and the lists of contracted applications in the NRCS national database (Protracts). The review may also include field office reviews in conjunction with other quality reviews. A lack of concordance between the submitted list and Protracts may be cause for suspension of a CRT's cultural resources review authority. Review authority may be reinstated upon satisfactorily addressing the deficiencies.

## **ADMINISTRATIVE STIPULATIONS**

### **16. Review:**

- a. The SHPO may review activities carried out pursuant to this agreement. NRCS shall facilitate this review by compiling specific categories of information to document the effectiveness of this agreement and by making this information available to the SHPO in the form of a written report. Categories of information shall include, but are not limited to, a summary of actions taken under the agreement, including all findings and determinations, accomplishments, estimated time and cost savings, public objections, and inadvertent effects or foreclosures. The range and type of information included by NRCS in the written report and the manner in which this information is organized and presented must be such that it facilitates the ability of the SHPO to assess accurately the degree to which this agreement and its manner of implementation constitute an efficient and effective program alternative under 36 CFR 800, and to determine whether this agreement should remain in effect, and if so, whether and how it should be improved through appropriate amendment.
- b. NRCS shall prepare the written report of these findings annually for the duration of this agreement. The initial report shall be prepared following completion of the first full calendar year under this agreement. NRCS shall submit the annual reports to the SHPO no later than three (3) months following the end of the calendar year. NRCS shall provide notice to the public that a generalized summary of the report herein prescribed is available for public inspection and ensure that potentially interested members of the public are made aware of its availability and that the public may comment to signatory parties on the report. NRCS, in consultation with the SHPO, shall identify the specific recipients of the public notice herein described.

- c. NRCS shall ensure that one or more meetings are held to facilitate review of, and comment on, the report to address questions and issues, or to resolve adverse comments. These meetings shall include a critical examination of the overall effectiveness and benefits of the agreement, determining if its requirements are being met, deciding if amendments to the agreement are warranted, reviewing the reporting format and categories for adequacy, and identifying any other actions that may be needed in order to take into account the effects of the activities covered by this agreement on historic properties in California.

d. **Resolving Objections**

1. Should the SHPO object to the manner in which the terms of this agreement are implemented, to any action carried out or proposed with respect to implementation of this agreement, or to any documentation prepared in accordance with and subject to the terms of this agreement, California NRCS shall immediately consult with the SHPO for no more than 60 days to resolve the objection. NRCS shall reasonably determine when this consultation will commence. If the objection is resolved through such consultation, the action in dispute may proceed in accordance with the terms of that resolution. If, after initiating such consultation, NRCS determines that the objection cannot be resolved through consultation, NRCS shall forward all documentation relevant to the objection to the Council, including NRCS's proposed response to the objection, with the expectation that the Council will within thirty (30) days after receipt of such documentation:
  - a. advise NRCS that the Council concurs in NRCS's proposed response to the objection, whereupon NRCS will respond to the objection accordingly; or
  - b. provide NRCS with recommendations, which NRCS will take into account in reaching a final decision regarding its response to the objection; or
  - c. notify NRCS that the objection will be referred for comment pursuant to 36 CFR § 800.7(c), and proceed to refer the objection and comment. NRCS shall take the resulting comment into account in accordance with 36 CFR § 800.7(c)(4) and Section 110(1) of the NHPA.
2. Should the Council not exercise one of the above options within 45 days after receipt of all pertinent documentation, NRCS may assume the Council's concurrence in its proposed response to the objection.
3. NRCS shall take into account any Council recommendation or comment provided in accordance with this stipulation with reference only to the subject

of the objection. NRCS's responsibility to carry out all actions under this agreement that are not the subject of the objection will remain unchanged.

4. At any time during implementation of the measures stipulated in this agreement, should an objection pertaining to such implementation be raised by a member of the public, NRCS shall notify the SHPO in writing of the objection and take the objection into consideration. NRCS shall consult with the objecting party and, if the objecting party so requests, with the SHPO for no more than 30 days. Within ten (10) days following closure of this consultation period, NRCS will render a decision regarding the objection and notify all parties consulting hereunder of its decision in writing. In reaching its decision, NRCS will take into account any comments from the consulting parties regarding the objection, including the objecting party. NRCS's decision regarding the resolution of the objection will be final.
5. NRCS shall provide all parties to consultation carried out hereunder with a copy of its final written decision regarding any objection addressed pursuant to this stipulation.
6. NRCS may authorize any action subject to objection under this stipulation to proceed after the objection has been resolved in accordance with the terms of this stipulation.

**e. Amendments**

Either signatory may propose that this agreement be amended, whereupon the signatories will consult for no more than 60 days to consider such amendment. The amendment process shall comply with 36 CFR §§ 800.6(c)(1) and 800.6(c)(7). This agreement may be amended only upon the written consent of both signatories. If it is not amended, this agreement may be terminated by either signatory in accordance with Stipulation 17 below.

**17. Termination**

- a. If this agreement is not amended as provided for in Stipulation 16, or if either signatory proposes termination of this agreement for other reasons, the signatory proposing termination shall, in writing, notify the other signatory, explain the reasons for proposing termination, and consult with the other signatory for at least 60 days to seek alternatives to termination.
- b. Should such consultation result in an agreement on an alternative to termination, then the signatories shall proceed in accordance with the terms of that agreement.
- c. Should such consultation fail, the signatory proposing termination may terminate this agreement by promptly notifying the other signatory in

writing. Termination hereunder shall render this agreement without further force or effect.

- d. If this agreement is terminated hereunder, NRCS shall either consult in accordance with stipulation 2.A. of the “Programmatic Agreement Among the United States Department of Agriculture Natural Resources Conservation Service, the Advisory Council on Historic Preservation and the National Conference of State Historic Preservation Officers Relative to: Conservation Assistance”, executed May 31, 2002, to develop a new agreement, or comply with subpart B of 36 CFR Part 800 for all individual undertakings that would otherwise be covered by this agreement. Unless and until a new agreement is executed pursuant to this paragraph, NRCS shall comply with subpart B of 36 CFR Part 800 for all individual undertakings that would otherwise be covered by this agreement.
- e. Notwithstanding any other provision of this stipulation, this agreement shall automatically terminate and have no further force or effect upon termination or expiration of the “Programmatic Agreement Among the United States Department of Agriculture Natural Resources Conservation Service, the Advisory Council on Historic Preservation and the National Conference of State Historic Preservation Officers Relative to: Conservation Assistance”, executed May 31, 2002.

**18. Duration of this Agreement**

This agreement shall remain in effect for a period of two (2) years after the date it takes effect, after which time it may be extended for one (1) additional year based upon a review of its utility and compliance with the stipulations by NRCS and SHPO. At the end of this three (3) year period, if the agreement is functioning as stipulated, the agreement will be amended for an additional five (5) years of use, unless it is terminated prior to that time or unless it is terminated in accordance with the terms of stipulation 17.e., above. No later than six months prior to the expiration date of this agreement, NRCS shall initiate consultation with the SHPO to determine if this agreement should be allowed to expire automatically or whether it should be extended for the additional term as described, with or without amendments, as the signatories may determine. Unless the signatories agree through such consultation on an alternative to automatic expiration of this agreement, this agreement shall automatically expire and have no further force or effect in accordance with the timetable stipulated herein.

**19. Effective Date of this Agreement**

This agreement shall take effect on the day that it has been executed by the SHPO.

20. **Civil Rights:** By signing this agreement, the signatories assure that the program or activities provided for under this agreement will be conducted in compliance with all applicable Federal civil rights laws, rules, regulations, and policies.

SIGNATORIES

/s/  
Lincoln E. Burton  
State Conservationist  
California Natural Resources Conservation Service

December 4, 2007  
DATE

/s/  
Milford Wayne Donaldson, FAIA  
State Historic Preservation Officer  
California Office of Historic Preservation

December 4, 2007  
DATE

## **Attachment 1. Conservation Practices Excluded as Undertakings**

All practices to be installed in ground previously plowed/ripped to 3 feet or greater and the installation will not extend beyond this disturbed ground may be excluded as undertakings that have the potential to affect historic properties when a records search indicates that no known cultural resources are in the project area.

Aerial application of seed for any purpose is excluded as an undertaking.

The following individual practices are excluded as undertakings:

<b>Practice Code</b>	<b>Name</b>
591	Amendments for Treatment of Agricultural Waste
450	Anionic Polyacrylamide (PAM) Erosion Control
370	Atmospheric Resource Quality Management
314	Brush Management-Chemical treatment
327	Conservation Cover
328	Conservation Crop Rotation
332	Contour Buffer Strips
330	Contour Farming
585	Contour Strip-cropping
340	Cover Crop-When planned for existing crop lands
589C	Cross Wind Trap Strips
399	Fishpond Management
393	Filter Strip-When planned for existing crop lands
511	Forage Harvest Management
603	Herbaceous Wind Barriers
441	Irrigation System: Microirrigation-Surface installation only
430HH	Irrigation Water Conveyance-Rigid Gated Pipeline-Surface
449	Irrigation Water Management
590	Nutrient Management
595	Pest Management
521C	Pond Sealing or Lining, Bentonite Sealant
521D	Pond Sealing or Lining, Compacted Clay Treatment
521A	Pond Sealing or Lining, Flexible Membrane
521B	Pond Sealing or Lining, Soil Dispersant
345	Residue and Tillage Management, Mulch Till
329A	Residue Management, No-Till and Strip Till
346	Residue and Tillage Management, Ridge Till
344	Residue Management, Seasonal
344A	Residue Management, Seasonal, Rice Residue
557	Row Arrangement
660	Tree/Shrub Pruning
367	Waste Facility Cover
633	Waste Utilization

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### Well Water Testing

The practice standards for each of the above practices follow this page.

**Attachment 2.** Report Format for Negative or Isolates only Findings

United States Department of Agriculture  
Natural Resources Conservation Service

**Field Office:**  
**Address:**

**Cultural Resources Report Form for Negative or Isolates Only Findings**

**Records Search results:** Present a brief summary of the results. Attach copy of information from Information Center or State Office

**Native American consultation:** Attach letters to and from Native American Heritage Commission, and groups or individuals; include data for meetings and telephone calls that include participants, date, discussion points and other pertinent information

**Area of Potential Effect (APE):** Attach 1:24000 scale topographic map, may be from Customer Service Toolkit Conservation Plan, with APE designated; include Range, Township, Section, quadrangle name

**Name and Title of Cultural Resources Technician:**

**Signature:**

**Date:**



**Attachment 3.** NRCS General Manual: Title 420, Part 401- Cultural Resources  
<http://directives.sc.egov.usda.gov/17073.wba>

**Attachment 4.** Cultural resources training modules 1-6  
(available for viewing at NRCS offices at 920 E. Stowell Rd. Santa Maria, CA  
93454)

## **Attachment 6**

NRCS/Landowner Cooperator Agreement

# COOPERATOR AGREEMENT

## TERMS OF ASSISTANCE AND NOTIFICATION REGARDING PROCEDURES FOR CONFORMANCE WITH MULTIPLE PERMITS UNDER THE SANTA BARBARA COUNTY PERMIT COORDINATION PROGRAM

Between the  
United States Department of Agriculture, Natural Resources Conservation Service  
And the  
Cachuma Resource Conservation District  
And the  
Following Cooperator

Landowner: \_\_\_\_\_ Address: \_\_\_\_\_

\_\_\_\_\_ Zip: \_\_\_\_\_

Property Location: \_\_\_\_\_  
(Assessor Parcel Number, street address, or narrative description; see attached map)

USDA Tract #: \_\_\_\_\_ Photo No: \_\_\_\_\_ Quad Sheet: \_\_\_\_\_

Acres: \_\_\_\_\_ Major Land Use: \_\_\_\_\_  
(Row Crops, Orchard, Nursery, Range, Woodland, etc.)

### Included Conservation Practices:

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Access Road Improvements      | <input type="checkbox"/> Irrigation System/Tailwater Recovery              | <input type="checkbox"/> Sediment Basin                            |
| <input type="checkbox"/> Channel Stabilization         | <input type="checkbox"/> Limited Vegetation Removal to<br>Minimize Erosion | <input type="checkbox"/> Stream Bank Protection                    |
| <input type="checkbox"/> Critical Area Planting        | <input type="checkbox"/> Pipeline  | <input type="checkbox"/> Stream Crossing                           |
| <input type="checkbox"/> Diversion                     | <input type="checkbox"/> Pond  | <input type="checkbox"/> Stream Habitat Improvement/<br>Management |
| <input type="checkbox"/> Filter Strip                  | <input type="checkbox"/> Restoration/Management of Declining<br>Habitats   | <input type="checkbox"/> Structure for Water Control               |
| <input type="checkbox"/> Grade Stabilization Structure |  | <input type="checkbox"/> Underground Outlet                        |
| <input type="checkbox"/> Grassed Waterway              |  |  |

This agreement is freely entered into by the United States Department of Agriculture, Natural Resources Conservation Service (NRCS) and the Cachuma Resource Conservation District (CRCD) for the Santa Barbara County Permit Coordination Program of the CRCD, referred to hereinafter as the "PCP," and the following landowner (or organization), referred to hereinafter as the "Cooperator":

### I. THE PCP AGREES TO AUTHORIZE PROJECTS AND FURNISH INFORMATION, TECHNICAL and/or OTHER ASSISTANCE TO:

1. Help solve conservation problems;
2. Assist in the design, installation, maintenance, and monitoring of appropriate conservation practices;
3. Offer the Cooperator the coverage of multiple permits that provide for the design, installation, maintenance, and monitoring of specified conservation practices under the PCP as issued by the public agencies including: United States Fish and Wildlife Service; United States National Marine Fisheries Service; ~~United States Department of the Army, Corps of Engineers;~~ California Department of Fish and Game; California Regional Water Quality Control Board, Central Coast Region; ~~Santa Barbara County Planning and Development;~~ and
4. Provide the Cooperator with information and support from CRCD and NRCS staff to answer questions regarding the procedures for the design, installation, maintenance, and monitoring of the conservation practices and specific protection measures to be followed to avoid or minimize the impacts of projects to sensitive natural resources and water quality.

### II. THE COOPERATOR AGREES TO:

1. Fully conform to the procedures for the design, installation, maintenance, and monitoring for the service life of the conservation practices as developed by the PCP with the aforementioned public agencies under their various permitting authorities. The specific procedures are documented in the attached site-specific *Project Plan & Specifications* provided by the NRCS and CRCD;
2. Allow the NRCS, CRCD, and aforementioned public agencies on site with proper notice to inspect work conducted under the PCP;
3. Allow the CRCD to include information about the project status and benefits in an annual report provided to the aforementioned agencies;

4. No language in any part of this agreement will reflect an initiation by CRCDD for regulatory action; and
5. To the best of the landowner's knowledge, this project is taking place on the property (within the property lines of the property) described in this agreement.

**III. AGREED THAT:**

1. The PCP assumes no responsibility for the legal establishment of any property acreages, boundary lines, or water rights;
2. It is the responsibility of the Cooperator to obtain all necessary permits and pay associated costs in order to comply with all laws and ordinances. However, the *Project Plan and Specifications* developed under the PCP implemented under this agreement provide the Cooperator with coverage for the following permits:
  - Programmatic Biological Opinion in compliance with the Federal Endangered Species Act for listed plant and animal species, issued by the United States Fish and Wildlife Service, Ventura, CA.
  - Programmatic Biological Opinion in compliance with the Federal Endangered Species Act for southern California steelhead, issued by the United States National Marine Fisheries Service, Long Beach, CA.
  - ~~Agreement for procedures to use existing Nationwide Permits and/or Regional General Permits in compliance with Section 404 of the Clean Water Act, issued by the U.S. Army Corps of Engineers, Los Angeles, CA.~~
  - Programmatic Certification of the Nationwide Permits under Section 401 of the Clean Water Act issued by the California Regional Water Quality Control Board, Central Coast Region, San Luis Obispo, CA.
  - Master Streambed Alteration Agreement in compliance with Section 1600 *et. seq.* of the Fish and Game Code, issued by the California Department of Fish and Game, San Diego, CA.
  - ~~Master Conditional Use Permit(s) in compliance with Santa Barbara County policies, ordinances, and Local Coastal Plan, issued by County of Santa Barbara Planning and Development, Santa Barbara, CA.~~
  - Programmatic Agreement (PA) between the Advisory Council on Historic Preservation and the National Council of State Historic Preservation Officers and NRCS, Washington, DC.
3. It is the responsibility of the Cooperator to ensure that work carried out on site is consistent with the terms and conditions of the permits checked in #2 above as specifically indicated in the project-specific *Project Plan & Specifications* provided to the Cooperator by the NRCS and CRCDD.
4. If work on site is not carried out consistent with the procedures for the design, installation, maintenance, and monitoring of the conservation practices covered by the permits checked in #2 above, the PCP shall notify the Cooperator in writing and work directly with the Cooperator to resolve the problem. If the problem cannot be resolved, the PCP shall notify the Cooperator that this Agreement and other applicable contracts are cancelled and that the Cooperator's actions are no longer covered by this Agreement and other contracts. The PCP shall notify the aforementioned permitting agencies that the Cooperator's Agreement and/or contracts have been cancelled. The permitting agencies may contact the Cooperator at their discretion to ascertain the reason for Agreement/contract cancellation. The PCP shall have no further responsibility to enforce the conditions of the permits checked in #2 above and shall not be held responsible as the permittee. The Cooperator shall be responsible for all violations and will have to individually obtain all necessary permits, and comply with all laws and ordinances that apply to their work.
5. This request shall become effective on the date of the last signature until either party gives notice to the contrary. It will be automatically canceled when the Cooperator ceases to have a legal interest in the land.

\_\_\_\_\_  
COOPERATOR

\_\_\_\_\_  
Date

\_\_\_\_\_  
USDA NATURAL RESOURCES CONSERVATION SERVICE

\_\_\_\_\_  
Date

\_\_\_\_\_  
CACHUMA RESOURCE CONSERVATION DISTRICT

\_\_\_\_\_  
Date

## **Attachment 7**

NRCS Conservation Planner Certification Process

### **409.3 Requirements for Providing Conservation Planning Assistance**

(a) All NRCS conservation planners will be certified. The COD will establish minimum criteria to be met by NRCS employees to be a "certified conservation planner" (See GM-180, Part 409.9).

(1) A certified conservation planner is a person who possesses the necessary skills, training, and experience to implement the NRCS nine-step planning process to meet client objectives in solving natural resource problems.

(2) The certified conservation planner has demonstrated skill in assisting clients to identify resource problems, to express the client's objectives, to propose feasible solutions to resource problems, and leads the client to choose and implement an effective alternative that treats resource concerns and meets client's objectives.

(3) State Conservationists may establish additional certification levels and criteria as needed to cover degrees of scope and complexity in planning environments.

(b) All plans developed with the assistance of NRCS and partner employees will be approved by an NRCS or partner certified conservation planner. When a conservation plan is being used to meet specific USDA program requirements under the authority of NRCS, it must be approved by the appropriate NRCS official. For example Highly Erodible Land Compliance, Environmental Quality Incentives Program, Wetland Restoration Program planning approval is a responsibility cannot be delegated.

(c) State Conservationists will establish and implement a process to ensure training is provided to employees. This is to include the following actions:

(1) Development of State training needs and budgets for conservation planning training.

(2) The State Conservationist will develop a list of qualifications (knowledge, skills, and abilities) required for certified conservation planner designations in addition to the requirements listed in GM-180, Part 409.9. These qualifications should include knowledge of the following fundamentals such as:

- (i) Crop production
- (ii) Grazing systems
- (iii) Plant growth
- (iv) Soil-water-plant relationships
- (v) Plant identification
- (vi) Nutrient uptake
- (vii) Erosion processes
- (viii) Water quality
- (ix) Proficiency in scientific tools and models
- (x) Animal production
- (xi) Conservation practices and systems common to the work area
- (xii) Wildlife management
- (xiii) State and local laws and regulations that may influence conservation planning.

(3) Training must be provided through NRCS training courses, on-the-job training or equivalent courses and methods approved by the State Conservationist as meeting the identified training need. Approval of equivalent courses will be done in consultation with the Director, National Employee Development Center.

(4) The State Conservationist will ensure that all NRCS employees that approve conservation plans meet minimum NRCS certified conservation planner requirements.

(d) The State Conservationist will establish and maintain a list of NRCS certified conservation planners in the State consisting of NRCS employees, volunteers, and employees of Soil and Water Conservation Districts and State conservation agencies that have requested to participate.

(e) State Conservationists may approve non-NRCS sources to certify conservation planners in accordance with procedures in the Conservation Programs Manual (CPM), Part 504. State Conservationists may also directly certify qualified individuals, such as third party vendors, as conservation planners contingent upon these individuals satisfying NRCS requirements. Whether providing assistance to an approved source, or directly certifying a qualified individual, the State Conservationist will ensure that this assistance is consistent with existing NRCS policies and technical guides. As a minimum:

((1) State Conservationists are required to provide organizations that are interested in becoming approved sources with the minimum criteria that NRCS uses to certify conservation planners.

(2) An NRCS approved source will maintain and make it accessible to the State Conservationist, an up-to-date list of the conservation planners it has certified.

### [GM\_180\_409\_3 - Amendment

#### **409.9 Minimum Criteria to Achieve an NRCS Certified Conservation Planner Designation**

(a) NRCS certified conservation planner candidates must complete all modules of the NRCS Conservation Planning Course or equivalent, before completing the field review (See GM-180, paragraph 409.9(d)). The State Conservationist, in consultation with the NRCS National Employee Development Center Director, will determine the equivalence of other training courses. The State Conservationist may provide the person a letter of waiver of this requirement, if the individual has previously demonstrated competence in RMS plan development.

(b) Candidates must possess and demonstrate the following knowledge, skills, and abilities:

- (1) Awareness of the National Conservation Program.
- (2) Skill in applying the NRCS Conservation Planning Process.
- (3) Ability to plan and implement conservation practices common to the geographic area.
- (4) Knowledge of NRCS Field Office Technical Guide standards and specifications for applicable conservation practices in the State and locality.
- (5) Skill in applying approved erosion prediction technology (Revised Universal Soil Loss Equation and the Wind Erosion Equation).
- (6) Skill in using applicable site vulnerability assessment tools.
- (7) Knowledge of Federal, State, tribal, and local laws and regulations.

(c) Candidates must meet any additional minimum qualifications and criteria for conservation planning assistance established by the State Conservationist.

(d) Candidates must complete at least one field reviewed Resource Management System (RMS) plan for a conservation management unit (CMU).

- (1) The planner will be accompanied to the field by the State Conservationist's designee to meet with the decisionmaker.
- (2) The candidate will be expected to demonstrate competency in the planning process and plan development.
- (3) The observer will evaluate the planner's involvement with the decision-maker (landowner or land operator) in the planning process and whether all resource concerns associated with the CMU are adequately addressed.



(4) Field reviewed plans must be approved by the State Conservationist or designee prior to final delivery to the decisionmaker.

(e) NRCS certified conservation planners are responsible for keeping their own individual development plan updated to reflect conservation planning training needed and completed to maintain or increase their skill level. Training to maintain and update conservation planning skills must, at a minimum, occur once every three years.

(1) The State Conservationist will determine the type and minimum hours of training necessary to maintain the certified conservation planner designation.

(2) Supervisors and certified conservation planners share the responsibility to identify and provide opportunities for employees to achieve needed maintenance or additional knowledge enhancement requirements.

(3) NRCS certified conservation planners are responsible for keeping their own records of training completed and providing the information to NRCS as evidence of meeting the minimum certification requirements.

(f) The State Conservationist will address maintaining the certified conservation planner process and designation in the "State Quality Assurance Plan(s)".

(1) Each certified conservation planner's designation will be reviewed at least once every three years by the State Conservationist or designee.

(2) A sufficient number of conservation plans will be reviewed to determine that the conservation plans meet the NRCS planning policy and follow the procedures and guidelines listed in the [NPPH](#).

(3) If an individual fails to meet the criteria for the certified conservation planner designation, the status will be revoked and the individual must be re-certified before providing conservation planning assistance.

(4) If multiple certified planner levels exist, an individual could become decertified at a higher designated level while retaining a lower certification level.

[GM\_180\_409\_9 - Amendment 19 - October 2006]

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## Appendix B

### Watersheds of Santa Barbara County

## Watersheds of Santa Barbara County<sup>1</sup>

***San Antonio Creek Watershed.*** The San Antonio Creek watershed is located in the west-central part of Santa Barbara County about 15 miles south of Santa Maria. It is a relatively narrow watershed approximately seven miles wide and 32 miles long. The drainage area encompasses approximately 98,560 acres, 23,435 acres of which are located on Vandenberg Air Force Base (VAFB). A consolidated rock barrier located near the junction of Highway 1 and San Antonio Road forces groundwater to the surface forming Barca Slough. Discharges from the slough maintain perennial flows from the slough to the ocean, a distance of about eight miles. The mainstem of the watershed starts north of Highway 101 in the hills west of Zaca Station Road, and traverses westerly through Los Alamos Valley and VAFB before entering the ocean several miles north of Purisima Point. The watershed is bounded on the north by the Solomon Hills and on the south by the Purisima Hills. The only urbanized area is the rural community of Los Alamos. Other than VAFB and road corridors, almost all of the land is privately owned, and with the exception of the community of Los Alamos, used for some form of agriculture. The relatively flat valley is primarily used to produce annual vegetable crops that are grown year round because of the relatively mild climate. Upland areas were historically dedicated to grazing beef cattle; however, there has been substantial conversion to wine grapes in the recent past. Oil mining was also an important industry historically, but is largely in decline.

In general, the tributary streams in this watershed have intermittent flows throughout most of their drainage; however, some relatively short reaches within certain streams have perennial flows that are sustained by springs during the dry season. The mainstem is an intermittent stream from its headwaters to Barca Slough, and a perennial stream from the slough westerly to the ocean. Riparian zones throughout the project area are relatively narrow, including the mainstem of San Antonio Creek. The main San Antonio Creek channel is dominated by arroyo willows (*Salix lasiolepis*); however, most of the tributary vegetation includes a variety of upland plants that transition rapidly to the adjacent vegetation type. Most of the tributaries have relatively short reaches and steep gradients that promote rapid peak and recession during storm events.

Several freshwater marshes are located in the watershed, the largest of which is Barca Slough at approximately 550 acres. Most of this wetland is located on VAFB. An equally important marsh is located downstream of Barca Slough at the Lompoc-Casmalia Road crossing of San Antonio Creek. This marsh includes areas both upstream and downstream of the road, and in the recent past the road was closed to vehicular traffic and has become part of the marsh. There is also a small marsh of about three acres located in Las Flores Canyon.

Surface water quality in this watershed has long been affected by excessive sediment. Approximately 8.5 miles in Shuman Canyon Creek and 5 miles in Casmalia Canyon Creek are on the 303(d) list of impaired waterbodies for excessive sediment. In addition, 14 miles of San Antonio Creek (from the Las Flores Creek bridge at Highway 135 downstream to the railroad bridge) have excessive nutrients and boron (see Appendix A, Attachment 1 for a complete list of impaired waterbodies). The effects of excessive sediment were vividly illustrated by the closure

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<sup>1</sup> Information for this section derived from <http://www.carc.org/wisp/cachuma/>

of Lompoc-Casmalia Road in 1995 and a temporary closure of El Rancho Road on VAFB following the 1997-98 storm year. In each case sediment was deposited on the roadways because accumulations in San Antonio Creek elevated the channel bottom to a degree that it prevented the water from flowing under the bridges. In addition, a report as part of the CRMP (year) on sedimentation, projected over 224,000 cubic yards will be deposited at Barca Slough yearly.

***Santa Maria River Watershed.*** The Santa Maria watershed includes the Cuyama River basin and the Santa Maria/Sisquoc River basin. The Cuyama River starts in Ventura County and drains portions of northern Santa Barbara County, southern San Luis Obispo County, and Kern County. The river generally flows in a westerly direction to a point of confluence with the Sisquoc River near the town of Garey. At that point, both rivers lose name integrity and become the Santa Maria River to the ocean. Twichell Dam is located several miles upstream of the point of confluence. Most of the Cuyama River has intermittent flows, although some reaches along the mainstem and major tributaries have perennial flows.

The Cuyama Valley is southeast-northwest trending for approximately 24 miles and ranges from two to six miles wide. The nearly flat valley is bordered on the north by the Caliente Mountain range and on the south by the Sierra Madre Mountains. These mountain ranges are joined on the eastern and western ends by transverse ridges. The elevation on the eastern end is approximately 3,500 feet, from which the valley slopes to an elevation of about 1,400 feet. The Sierra Madre ridges bordering the south end of the valley range in height from about 4,000 to 5,875 feet at Cuyama Peak. The climate is arid with weather patterns somewhat similar to the southern Mojave Desert with hot, dry summers, and cool winters. Annual rainfall in the valley only averages 6-8 inches; however, precipitation increases markedly with increasing elevation in the Sierra Madre. These mountainous regions may receive five times the valley precipitation, some in the form of snowfall. The Santa Maria Valley is also nearly flat, but then transitions through gently rolling hills to steep mountains in the interior. Elevations range from sea level to 6,828 feet at Big Pine Mountain, the headwaters of the Sisquoc River. The average annual precipitation varies from about 12 inches near the coast to about 30 inches in the mountains.

The main agricultural areas are the Cuyama Valley and the Santa Maria Valley. The Cuyama Valley is sparsely populated (largest concentration of people is in New Cuyama, population 600 in 1990), and farming and ranching are the predominant industries. All the farming occurs on the valley floor, with modest encroachment into the foothill areas. About 22,000 acres are irrigated using groundwater, and about 4,000 upland acres are dry-farmed. Beef cattle are grazed throughout the non-farmed areas. Most of the mountainous regions in the basin are public lands managed by the U.S. Forest Service or the Bureau of Land Management. In contrast, the Santa Maria Valley has become the most populated city in the County, surpassing the urbanized areas along the south coast. In the Santa Maria/Sisquoc basin, all of the land is used for some form of agriculture, except for wilderness areas in the Los Padres National Forest. Approximately 42,000 acres are irrigated and 3,000 acres are dry-farmed; nearly all of the irrigation water is pumped from the Santa Maria groundwater basin. Vegetables, mainly broccoli, head lettuce, and cauliflower, are grown year-round, resulting in about 2.5 crops per acre per year. Except for remote areas within the Los Padres National Forest, most of the non-farmed land is used to raise cattle.

Approximately 182 stream miles in the watershed are listed as water-quality impaired, with the majority in the Cuyama River (134 miles polluted by excessive levels of boron). Other affected streams are Bradley Canyon Creek and Bradley Channel for pathogens and nutrients; Orcutt Creek for nutrients, pesticides, pathogens, and boron; Santa Maria River for nutrients, pesticides, and pathogens; and Alamo Creek for pathogens, among others.

***Santa Ynez Watershed.*** The Santa Ynez watershed, located in central Santa Barbara County, comprises about 40% of the mainland part of the county, and drains about 900 square miles (621,577 acres). The Santa Ynez River flows west about 90 miles from its headwaters at 6,000 feet in the San Rafael Mountains to the Pacific Ocean. Bradbury Dam, which creates Lake Cachuma, is located 48.7 river miles from the ocean and divides the watershed nearly in half. Immediately upstream from Lake Cachuma, the river passes through a narrow trough between the mountains. Below Lake Cachuma, the river flows over broad alluvial floodplains. West of Buellton it flows through a narrow meandering stretch to the Lompoc Narrows and emerges onto the broad, flat Lompoc Plain. The width of the active channel ranges from approximately 40 feet near Bradbury Dam to more than 400 feet near the confluence with Alamo Pintado Creek. The river flows another 13 miles to the Santa Ynez Lagoon and the ocean.

Three dams have been constructed on the river to store and divert water to the South County. Jameson Reservoir and Gibraltar Reservoir are located in the upper watershed above Lake Cachuma. Design capacities of these facilities are 7,228 and 22,516 acre feet, respectively; however, estimated storage capacity has been reduced substantially due to sediment accumulation. Lake Cachuma, formed by Bradbury Dam, is by far the largest reservoir on the river with a design storage capacity of 204,874 acre feet of water. The reservoir is the primary water supply for southern Santa Barbara County and a portion of the Santa Ynez Valley. Approximately 260,000 acres of the watershed are public land, primarily within the Los Padres National Forest above Lake Cachuma, with the remainder on Vandenberg Air Force Base on the west coast. Water rights releases that are made in the summer months of most average and dry years provide mainstem flows downstream of Lake Cachuma. In addition, the secondarily treated effluent from the Lompoc Regional Wastewater Treatment Plant (3.5 to 5.4 cfs) creates continuous year round flow from the facility to the ocean.

Several tributaries downstream of Bradbury Dam contribute significant flows to the lower Santa Ynez River. Flows in the tributaries are flashier than in the river because their watersheds are smaller. Tributaries on the north side of the lower watershed include Santa Agueda, Alamo Pintado, and Zaca creeks. Streams on the south side of the watershed originate at fairly high elevations on the cool and well vegetated north-facing slopes of the Santa Ynez Mountains. These southside streams include Hilton, Alisal, Quiota, Nojoqui, Salsipuedes, El Jaro, and San Miguelito creeks. The Salsipuedes-El Jaro system has the largest watershed. The upper reaches of many tributaries maintain flow much longer than the lower reaches, and some have perennial flow.

From 1970 to 2000 the population in the Santa Ynez Valley doubled. The cities of Solvang and Buellton are the second and third fastest growing cities in the County. Both are nearly out of developable land. The demand for housing in the valley resulted in approved subdivisions for

over 23,000 acres of rural ranch and agricultural land between 1985 and 1997. The resulting ranchettes break up habitats and traditional trails, and add incrementally to traffic. Modest population estimates for the next 30 years are for over 5,000 new residents in the valley.

Most private land in the lower watershed that is not urbanized is used for some form of agriculture. In total, there are about 30,000 acres of irrigated crops (wine grapes, forage for thoroughbred racehorses, flowers, vegetables, beans, walnuts) and 2,000-3,000 acres of dry land crops in the basin. Most of the irrigated land is located in the Lompoc Valley, west of Lompoc. That area is similar to the Santa Maria Valley, in that the marine influences allow year-round crop production. Groundwater provides 100% of the water supply in the Lompoc Basin, including irrigation. Nearly all the upland areas are used as range to raise beef cattle.

Approximately 47 miles of the mainstem of the Santa Inez River are water-quality impaired. From Lake Cachuma to below Lompoc (43 miles), surface water quality is impaired from high levels of salts, total dissolved solids, chlorides, and sediment. Downstream of Lompoc to the ocean (3.8 miles), surface water has excessive nutrients, salinity, total dissolved solids, chlorides, and sediment; at Ocean Beach, there are excessive pathogens.

***South Coast Watershed.*** The South Coast watershed is a single hydrologic unit containing 50 to 60 small watersheds. The area essentially corresponds to the south face of the transverse Santa Ynez Mountains. It is about 60 miles long across an east-to-west axis from Rincon Creek on the Ventura County line to Point Conception, but is only six to seven miles wide along its north to south axis from the crest of the Santa Ynez Mountains to the Santa Barbara Channel. Each watershed in this hydrologic unit is relatively small, ranging from less than 2,000 acres to as many as 13,000 acres, with total stream lengths that rarely exceed 30 miles in an entire watershed. The profile of most streams consists of (a) high gradient steep mountain slopes and foothills; (b) medium gradient alluvial fans, mesas and debris flows on the front and toe slope portions of the mountains, and (c) low gradient coastal plain marine terraces and alluvial plains that terminate at the Santa Barbara Channel.

Flow levels in the creeks are highly variable, largely because of the seasonal pattern of rainfall that occurs throughout Southern California and the large fluctuations in annual rainfall from one year to the next. Local rainfall averages between 16 and 18 inches per year on the coastal plain and between 28 and 30 inches per year in the highest elevations of the Santa Ynez Mountains. Between Point Conception and the western edge of the Goleta area, land use is generally limited to park and open space, cattle ranching or orchard crops, with residential development limited to scattered large-lot ranchettes. Between Goleta and Carpinteria, the middle and lower reaches of most streams have a much more pronounced urban character.

Virtually all the subtropical fruit (mainly avocados) and about 75% of the nursery and hot-house products of the County are grown in the south county, largely between Goleta and Carpinteria. The irrigated agricultural area is about 13,000 acres; irrigation water comes from pumped groundwater, diversions from the three reservoirs on the Santa Ynez River (Cachuma, Gibraltar, and Jameson), and to a lesser extent, from on-farm surface entrapments.

While the upper reaches of the watersheds along the south coast have excellent water quality, downstream the water quality worsens as a result of surface runoff from urban and agricultural areas. Approximately 55 stream miles, 384 acres (Goleta Slough and Carpinteria March), and nine (9) areas where creeks empty at the ocean are on the 303(d) list of impaired waterbodies. Primary contaminants are nutrients and pathogens. In addition, the loss of riparian vegetation has increased water temperatures in some reaches, in turn reducing dissolved oxygen saturation levels in the water. The upper watersheds are usually part of the National Forest and have a continuous overstory of riparian woodland and a dense understory of shrubs, herbs and grasses. In the foothills, however, large sections of canopy cover have often been removed to accommodate orchards or subdivisions; downstream, urban development has eliminated much of the natural vegetation and paved large areas of the lower watershed.

Appendix C  
Comment Letters on Draft ND  
&  
Responses to Comments



A public review period for the Draft MND occurred from October 6 through November 4, 2008. Additionally, prior to the public review, NRCS/CRCD held a series of informational meetings describing the Project details to interested parties. Attendees at these informational meetings included agricultural groups, environmental groups and interested community members.

During the public review period, the Draft MND was available online at the Sustainable Conservation website at <http://www.suscon.org/pir/watersheds/SantaBarbaraMND.asp> as well as at the Cachuma Resource Conservation District and the Santa Barbara County Planning and Development offices. Notice of the availability of the Draft MND and the public review and comment period was sent to the State Clearinghouse, all interested agencies, all attendees of the public information meetings, and appropriate members of the County's Master Distribution List for environmental documents. Additionally, a display ad announcing the public review period and availability of the Draft MND was published in the Santa Maria Times.

During the public review and comment period, four comment letters were received. Although technically none of the letters directly commented on the MND, we are including them here for informational purposes. Additionally, a fifth comment letter was received from the County of Santa Barbara after the public comment period had closed. The letter showed a lack of understanding of, and support for, the Permit Coordination Program and the recommendation to remove the stream practices from the program would remove some of the most beneficial components of the project from the Permit Coordination Program. Consequently, the CRCD decided to move forward with the Permit Coordination Project without the County's involvement. Since the MND will be adopted without the County as an involved agency, and since the County's comments on the Draft MND were received after the close of the public comment period, the comment letter is not included in this document.

The following list identifies all of the comments received during the public review period along with a brief summary and a description of how they are addressed in this Appendix.

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- October 6, 2008 - Environmental Defense Center (EDC) - Technically received prior to release of Draft MND. Comments focus on details in the Project Description. However, after meeting with EDC representatives, a number of recommended changes to Project were adopted. Responses included.
  - October 8, 2008 – Native American Heritage Commission – Recommended actions already included in Project Description. No additional response necessary.
  - November 4, 2008 – California Regional Water Quality Control Board – Comments focus on implementation of Project. Responses included.
  - November 4, 2008 – South Coast Habitat Restoration – Letter of Support for Project. Support noted. No response necessary.

In addition to the changes made to the Project Description in response to the comments received, changes were also made after internal review of the document in an effort to clarify certain aspects of the Project. None of these changes result in any substantive change to the Project or to the potential for impacts arising from the Project. All changes are identified by underlining for new language and ~~cross-outs~~ for deleted language.



October 6, 2008

Thomas Lockhart  
Cachuma Resource Conservation District  
920 E. Stowell Rd.  
Santa Maria, CA 93454

**Re: Santa Barbara County Permit Coordination Program**

Dear Mr. Lockhart,

This letter is submitted by the Environmental Defense Center (EDC); EDC protects and enhances the environment through education, advocacy and legal action.

The following comments are designed to enhance the proposed Santa Barbara County Permit Coordination Program, maintain the public's important role in project review, identify additional mitigation conditions and a phased approach to Program implementation, and ensure Program compliance with CEQA. We appreciate the opportunity to submit these recommendations to you and hope they are valuable as you continue developing this proposal for permit coordination in Santa Barbara County.

**Summary of Recommendations:**

1. Include RCD public notification, public project review and public comment for Tier I – Tier IV Projects; add public hearings for Tier III and IV Projects;
2. Track cumulative Projects to avoid piecemeal implementation that allows Projects to fall within Program size limitations;
3. Include performance standards for deferred mitigation such as habitat restoration plans;
4. Consider a Phased Alternative initially implementing Practices with the primary purpose of habitat restoration;
5. Include all Projects in listed or special-status species habitat to be Tier IV; and
6. Incorporate / amend Additional Conditions and Size Limitations identified below.

**Process**

A programmatic approach to environmental review has the potential to reduce or eliminate opportunities for public involvement at the project-review level. Public

participation is an important element of the environmental review process needed to ensure environmentally informed decision-making at the project level. The proposed Program must ensure maximum public involvement. Public review would entail RCD notifying interested members of the community and project neighbors, hosting a site visit, accepting and addressing public comments and holding a hearing before approving larger i.e. Tier III and IV projects. Such a public process now occurs at the County level to provide members of the public, neighbors, groups, restoration specialists and in some cases Planning Commissioners with an opportunity to review and comment on each project's restoration plan, conditions of approval, and performance standards. The Program's goal to increase efficiency in permitting of restoration projects can be accomplished while maintaining the important project-specific public review process. Maintaining a project-specific public review including notification, comment period and - for larger projects - a public hearing will maximize identification of project impacts, as well as avoidance and mitigation opportunities.

### **Designing the Program to Avoid the Possibility of Piecemeal Developments**

The Program can include provisions to ensure that landowners do not piecemeal projects to avoid size limitations and project-specific review. Under CEQA, piecemeal review is prohibited. The proposed Program establishes a system wherein landowners can obtain the benefits of one-stop permitting if their projects fall below size criteria established in the Program for Practices. As written, there may be an incentive for landowners to piecemeal their projects and come back to RCD for permits for pieces of the same project sequentially in order to fall under the size limits.

To prevent this, the Program should include a provision for tracking landowners' Projects and Practices, and apply the Size Limitations to Practices on a cumulative basis. A systematic Monitoring Program must be described in the Program and ND, and undertaken by RCD in coordination with CDFG, the County and FWS to ensure project-specific and cumulative compliance with conditions and size limitations. Monitoring reports must be regularly sent to County and CDFG for specific monitoring duration e.g. 7 years. This way, RCD would have a system to monitor projects' compliance and to prevent piecemealed Projects that would be specifically designed to fall under the size limitations, thus escaping project-specific review and permitting needed for Projects which exceed the Size Limitations. Enforcement provisions, responsibilities, actions and RCD's capability to enforce conditions must also be clearly defined in the Program and ND to ensure impacts are effectively mitigated.

### **Possible Deferral of Mitigation Measures in Negative Declaration**

As described, the forthcoming ND may defer mitigation of impacts occurring in the form of habitat restoration. Under CEQA, mitigation measures may not be deferred without performance standards. See *Sundstrom v. County of Mendocino*, 202 Cal. App. 3d 296 (1st Dist. 1988). In this case, restoration plans for specific projects eligible for permitting under this program will be developed on a project-by-project basis. Such deferral is allowed under CEQA when performance standards are provided. Therefore, to

ensure that habitat restoration as a mitigation measure is not deferred improperly, the ND should include performance standards for habitat restoration and other mitigation measures that may be deferred without standards for success. Including performance standards such as percent cover, growth rates, acreage ratios, survival percentages, species diversity and target species use will provide the public and decision-makers a level of assurance that while deferred, the habitat restoration plans will be effective mitigation measures.

Revegetation efforts require use of plant materials from an “approved list.” The list should only include appropriate natives (i.e. local, native plant source materials) for native habitat restoration. Conditions must specify that plant material be collected locally e.g. within the same watershed / vicinity and at similar elevations as the project site to the maximum extent feasible to avoid or minimize the impact of diluting the genetic integrity of local native plant populations.

### **Consideration of Alternatives and a Phased Alternative Approach**

The program involves restoration work as well as other land and facility improvements in and near wetlands, streams, rivers, and endangered species habitats throughout much of the County. Much of the work involves Practices that are designed primarily to enhance these resources. Other Practices may have other primary objectives. Some Practices result in incidental short-term, and in some cases long-term, adverse impacts to biological and water resources. Constructing a rock revetment for 300 feet along a creek to control erosion, for example, has both positive and negative environmental impacts.

The success of this Program in facilitating restoration projects while minimizing incidental and long-term effects is important from an environmental and public policy perspective. Due to the potential for significant adverse environmental impacts and due to the Program’s significance from a public policy standpoint, the RCD’s ND should consider a range of alternatives. The range could merely include alternatives limited – or initially limited - to the proposed Practices more directly related to habitat improvements e.g. habitat restoration and migration barrier removal projects such as FOTG#s 395 and 643. Under a phased alternative, after five years the breadth of Practices could be reevaluated and possibly expanded to include Practices less directly related to habitat restoration.

## **SPECIFIC COMMENTS REGARDING PROPOSED PROGRAM PRACTICES**

### **Access Road Improvements**

#### *Additional Conditions*

Relocation of access road should be allowed where expressly designed to avoid significant habitats / buffers in addition to “watercourses,” and should be especially considered where existing roads are causing impacts (ie. erosion, habitat degradation) to

existing resources. In these cases, it may be appropriate to abandon and restore existing road and replace it with an appropriately sited alternative access road.

Improvements must not be allowed to increase the capacity of the access road because this may lead to growth-inducing impacts not analyzed in the ND. Specifically, widening roads or increasing their weight-bearing capacity may enable larger, heavier equipment further into habitat areas resulting in subsequent impacts. Therefore, road improvements must maintain, not increase, vehicle and use capacity, or the ND must analyze and otherwise mitigate the environmental impacts of permitting increased use of access roads.

#### *Size Limitations*

The Program should clearly describe use of average i.e. “Ave.” as a size limitation, and how “Ave.” relates to “Max.”

Four miles is the proposed Max limit for road improvements. The road length size limitation should be reduced to two miles for all projects occurring within culturally or biologically sensitive areas including but not limited to riparian areas, oak woodlands, native grasslands, and known habitat of any state or federally listed or special-status species.

#### **Diversion (Upland Flow Interceptors)**

##### *Additional Conditions*

Diversion of floodwaters back into channels may increase downstream flooding and bank erosion. When floodwaters spread out over floodplains and are not redirected or confined into waterways, downstream flooding and erosion are minimized. In order to ensure that downstream flooding and erosion impacts are avoided or mitigated, the Diversion Practice should be conditioned upon not changing flood flow dynamics e.g. not diverting flood waters from floodplains back into channels.

##### *Size Limitations*

Limitations on the size of Diversions should apply per project and not per Diversion feature.

There should be a height limit and slope limit e.g. 1 foot and 10% to minimize grading, erosion, visual, wildlife movement and other impacts.

## **Filter Strips and Grassed Waterway**

### *Additional Conditions*

Filter strips should never employ invasive exotic species because even in disturbed areas seeds will travel downstream from filter strips and may move offsite, causing indirect impacts to natural habitats. To ensure against this type of program-wide impact i.e. introduction of non-native plant species into offsite habitats and waterways, the approved plant list for filter strips should be limited to *native and/or sterile nonnative* species.

## **Irrigation and Tailwater Recovery**

Certain listed aquatic species have become adapted to and depend on tailwater and agricultural ditches. For instance Santa Barbara County Flood Control identified red-legged frogs in north county ditches supplied by ag tailwater. Reusing this water, while beneficial in some ways, may adversely affect these species by removing water from their habitats.

### *Additional Conditions*

Tailwater Diversions must not reduce the flow in downstream water ways or reduce water in wetlands supporting native aquatic vertebrate species.

Pumphouses should be located at least 100 feet from riparian vegetation or top-of-bank, whichever is further, to the maximum extent feasible to limit their impacts on habitats.

## **Pipelines**

### *Additional Conditions*

Pipelines diverting water from natural surface water sources shall only qualify if the diversion from the water source is permitted by CDFG and other resource agencies with approval jurisdiction e.g. FWS, NOAA.

## **Ponds**

### *Additional Conditions*

Water shall not be supplied from creek water diversions unless approved by CDFG, SWRCB Division of Water Rights and other resource agencies with jurisdiction.

## **Sediment Basins**

### *Additional Conditions*

Sediment Basins near watercourses shall be located at least 100 feet from the top-of-creek bank, river banks or the edge of riparian habitat, whichever is further, to the maximum extent feasible.

## **Underground Outlet**

### *Additional Conditions*

Outlets that empty into waterways result in erosion which may not be fully mitigated by energy dissipation structures. Dissipation structures are hard structures on creek banks which may result in habitat and erosion impacts. Outlets should be diversified on the landscape to avoid concentrating flows. Where conditions allow, to the maximum extent feasible, outlets should not be constructed on or near creek banks or watercourses.

## **Water Control Structures**

### *Additional Conditions*

The Program must specify what is meant by “Structures will not be installed where they could adversely impact wetlands or water-related wildlife.” Without definition and standards to guide this mitigation measure, there is no assurance it will mitigate impacts to special-status aquatic species and other aquatic resources to less than significant.

The Program must define “upland” and “stream” to provide limits on the use of this Practice in sensitive habitats.

This Practice should be limited to situations where the hydrological condition including Q-100 requires a culvert of no more than 12” diameter. This additional, measurable standard for the proposed Additional Conditions will ensure this Practice is limited to upland areas, will ensure this condition is not deferred without standards to protect water-related wildlife, etc., and will minimize biological and water-related impacts.

## **Channel Stabilization**

### *Additional Condition*

This Practice involves removing sediment, channel shaping and installing grade stabilizers in creek beds. To minimize riparian habitat impacts, no mature riparian vegetation i.e. >1” DBH should be removed by this Practice.

### *Size Limitations – Sediment Removal*

Since sediment removal is to respond to a sediment plug, 500 feet is sufficient as the Max Length.

If landowners return repeatedly for permits to desilt the same reaches of creeks, the Program must reject short-term repeat solutions. RCD must reject such ongoing repeat Projects from the Program, and/or help identify suitable long-term solutions.

As noted above, all size limitations must be cumulative so that landowners cannot piecemeal Projects.

### **Grade Stabilizers**

#### *Additional Conditions*

Grade stabilizers constructed below grade can become steelhead barriers in the future if the channel degrades. *Grade stabilizers should not be allowed in any steelhead stream, even at or below grade*, or should only be constructed in a manner that will pass migrating fish once the structure is exposed by channel degradation.

### **Limited Vegetation Removal to Minimize Erosion**

#### *Additional Conditions*

The first condition listed allows use of heavy equipment to remove cars, concrete, etc. when removal from top of bank is not possible. The determination as to feasibility of a mitigation measure must be made as part of the Program's ND findings, and should not be deferred. If the determination as to whether removal of specific objects is deferred to the future, standards should be set to guide that determination to minimize equipment in the creek. For instance, any heavy equipment in the creek under the Practice should only occur if removal by crane is not feasible. Any heavy equipment work in the creek under this Practice should be subject to project-specific CDFG approval.

Any vegetation removal should employ standard Integrated Pest Management (IPM) techniques, including the use of alternatives to traditional pesticides (i.e. glyphosate). If alternative approaches are deemed infeasible, best practices shall be implemented in order to prevent pesticide drift and/or contamination of habitat and other resources.

#### *Size Limitations*

The Program should set limits on the size of riparian vegetation that can be removed pursuant to the Program. To feasibly limit impacts to sensitive habitats and



species, riparian vegetation over 4" DBH should not be removed pursuant to this Program.

#### *Seasonal Limitation*

Riparian vegetation removal must be timed to avoid nesting season as directed by CDFG e.g. post August 1.

#### **Critical Area Planting**

The approved plant list should be circulated to stakeholders including EDC and CNPS, and modified to eliminate any potentially problematic non-native species.

When non-natives are used, they should be sterile strains.

Planting in culturally sensitive areas should be undertaken with consultation with appropriate Native Americans.

#### **Streambank Protection**

##### *Additional Conditions*

The Program should prioritize bio-engineered streambank protection projects with no rock protection where feasible over projects with toe rock protection.

Riparian vegetation incorporated into bank must be grown from local stock i.e. from plants in the watershed vicinity.

The Program proposes to limit Streambank Protection Projects using rock to a maximum of 300 linear feet. Projects using rocks should be limited to a maximum of 150 feet or should not be subject to the Program. The SB County Flood Control District's Final Programmatic EIR (2001) limits bank protection measures to 150 feet. Projects with greater lengths "should be implemented as stand alone flood control improvement projects subject to separate environmental review." (EIR at 4-4) Given this precedent, Streambank Protection Projects using rock protection in excess of 150 feet should be excluded from the Program and subject to project-specific review.

#### **Stream Crossing**

##### *Additional Conditions*

Fish-friendly designs should be preferred *and required*.

Bridges should be the preferred design.

To mitigate impacts to wildlife movement, only if span bridges are infeasible should lesser options be considered i.e. culverts.

*Size Limitations:*

To minimize the footprint over structures over creek habitats, there should be a Stream Crossing width limitation of 20 feet.

**Tiered Impact Decision Tool**

All Projects affecting “Listed species or critical habitat present” should be included in Tier IV to ensure mitigation of potentially significant impacts to the maximum extent feasible.

**CONCLUSION**

Thank you for your attention to this letter. I can be reached at 805.963.1622, if you should have questions or comment.

Sincerely,

Brian Trautwein  
Environmental Analyst

Page 1, Summary of Recommendations

1. *Public notification, project review and public hearings*

Since the County is no longer a participating agency, all projects requiring a County permit will need to go through the standard permitting process on a project-by-project basis. This process includes opportunities for public participation and input.

2. *Track projects to avoid piecemeal implementation*

Clarifying language added to Project Description, page 7

3. *Performance standards for habitat restoration (revegetation)*

Additional language added to Table 3, Protection Measures, page 36

Plants used will be from the Approved Plant list, Appendix A, Attachment 3

4. *Consider a phased alternative*

The primary purpose of all the conservation practices is to improve/restore degraded water quality and/or habitat. All of the participating regulatory agencies expect the practices to be implemented as needed under the Project guidelines, not using a phased approach. There are numerous safeguards built into the Project (including an evaluation mid-way through the first 5-year term and again after 5 years) to help ensure protection of sensitive resources throughout all stages of the Project, from planning and design through post-construction monitoring. Please refer to the project description for details.

5. *Place listed species and/or habitat in Tier IV*

Moving listed species or special status species habitat from Tier III to Tier IV would not provide additional protections for those species and habitat. Tier IV includes projects with a structural component (e.g. rock) that several of the participating agencies felt required additional Review and Notification conditions. Please refer to Table 3, Tier III for general protection measures for special status species.

6. *Incorporate changes/amend practices*

Access roads

*Relocation considerations:* Already included in practice description, see page 8.

*Improvements should not increase capacity of existing road:* Additional language added to practice description, page 8.

*Change max length from 4 to 2 miles:* These are existing access roads (previously disturbed). All appropriate planning tools will be used to avoid and minimize impacts to sensitive resources (see section on the NRCS Planning Process) and all terms and conditions in the FWS biological opinion will be followed, as will all applicable general protection measures (see Table 3). No change in maximum length made.

### Diversions

Any structures that re-directed flows are carefully designed to avoid and minimize potential for downstream flooding/erosion. This practice is not installed within the floodplain but on steep slopes managed for farming or grazing. Size limits for this practice are by default on a “per project” basis (maximum size of diversion = maximum size of diversion project). The height and slope limits recommended are not realistic, would result in far greater grading dimensions, and would essentially negate the purpose of the practice. There are no visual impacts or impacts to wildlife movement as a result of this practice (see practice description and picture of installed diversion, page 9).

### Filter strips and Grassed waterways

Seventeen non-native, non-invasive plant species are included in the Approved Plant List (Appendix A, Attachment 3) and may be used for these practices. These species are fast-establishing, non-persistent, non-invasive plants, and do not appear on CNPS’s Inventory of Invasive Plants (we deleted two species – rose clover and Zorro annual fescue – because they are on the list); therefore these species do not pose a threat to native ecosystems.

### Irrigation System and Tailwater Recovery

These basins will not be located in areas that could impact downstream wetlands (this is a requirement of the NRCS planning process). Additionally, it is likely that the basins themselves would provide habitat for red-legged frogs and other aquatic species.

*Placement of pumphouses:* Revised condition in practice description as recommended, page 12.

### Pipeline

As per the practice description, pipelines will not divert water from surface water.

### Ponds

As per the practice description, water will not be supplied from creek water.

### Sediment basin

Recommended language added to practice description, page 15.

### Underground outlet

Recommended language added to practice description, page 16.

### Structure for water control

This practice has been moved to the “stream-related” practice section (see Table 1, Practice 18). Additional conditions have been added (pages 27 and 28).

### Channel stabilization

Size classes of riparian vegetation allowed for removal or trimming is the same for all practices (see Table 3).

The maximum length for one-time sediment removal has been changed from 1,000 feet to 500 feet, as recommended (page 18).

Potential for “piecemealing” addressed through new language on page 7.

### Grade stabilization structures

Grade stabilization structures at or below grade are an important and approved method when needed to protect new crossings (e.g. bridges) in steelhead streams.

### Limited vegetation removal

Additional language has been added to the practice description to guide determination of use of heavy equipment in a channel, as recommended (page 20).

Additional language has been added to the protection measures regarding IPM techniques, as recommended (Table 3, page 40).

Size limits for riparian vegetation removal are included in the Project Description (see Table 3, Protection Measures).

Seasonal limitations are already included in the Project (see Table 3, Protection Measures).

### Critical Area Planting

Any non-native plants that may be used for this practice are non-invasive, non-persistent species (see response under Filter strips, above).

NRCS/CRCO will follow protocols established for protection of cultural resources, see project description.

### Stream bank Protection

The Project already includes prioritizing stream bank protection projects as recommended (see Table 3, Protection Measures).

Recommendation to incorporate plants grown from local stock has been added to the practice description (page 24).

The maximum length for rock proposed (500 linear feet), corresponds to the limits in the Corps of Engineers Nationwide Permit 13, for stream bank protection (i.e., the impacts are considered less than significant and do not require application of an individual permit). In addition, we do not believe that the 150-foot limit for Flood Control improvement projects sets the standard for all projects in the County. The projects to be implemented under this practice are not for the purpose of flood control, but for restoration of critically eroding banks to prevent/minimize the amount of sediment entering watercourses. Additionally, rock is used as a last resort and to protect adjacent infrastructure when bioengineered solutions are considered infeasible.

### Stream crossing

Fish friendly designs are required in steelhead streams. Bridges may not always be feasible due to cost, and other fish-friendly designs exist and will be approved on a case-by-case basis by jurisdictional agencies -- See practice description, Table 1.

Width requirements and limitations will be determined by the County on a case-by-case basis during the permitting process.

Recd. 10/14/08

## NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364  
 SACRAMENTO, CA 95814  
 (916) 653-4082  
 (916) 657-5390 - Fax



October 8, 2008

Tom Lockhart  
 Cachuma Resource Conservation District  
 920 E. Stowell Rd.  
 Santa Maria, CA 93454

RE: SCH#2008101027 Santa Barbara County Permit Coordination Program; Santa Barbara County.

Dear Mr. Lockhart:

The Native American Heritage Commission (NAHC) has reviewed the Notice of Completion (NOC) referenced above. The California Environmental Quality Act (CEQA) states that any project that causes a substantial adverse change in the significance of an historical resource, which includes archeological resources, is a significant effect requiring the preparation of an EIR (CEQA Guidelines 15064(b)). To comply with this provision the lead agency is required to assess whether the project will have an adverse impact on historical resources within the area of project effect (APE), and if so to mitigate that effect. To adequately assess and mitigate project-related impacts to archeological resources, the NAHC recommends the following actions:

- ✓ Contact the appropriate regional archaeological Information Center for a record search. The record search will determine:
  - If a part or all of the area of project effect (APE) has been previously surveyed for cultural resources.
  - If any known cultural resources have already been recorded on or adjacent to the APE.
  - If the probability is low, moderate, or high that cultural resources are located in the APE.
  - If a survey is required to determine whether previously unrecorded cultural resources are present
- ✓ If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
  - The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure.
  - The final written report should be submitted within 3 months after work has been completed to the appropriate regional archaeological Information Center.
- ✓ Contact the Native American Heritage Commission for:
  - A Sacred Lands File Check. **USGS 7.5 minute quadrangle name, township, range and section required.**
  - A list of appropriate Native American contacts for consultation concerning the project site and to assist in the mitigation measures. **Native American Contacts List attached.**
- ✓ Lack of surface evidence of archeological resources does not preclude their subsurface existence.
  - Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5(f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
  - Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.
  - Lead agencies should include provisions for discovery of Native American human remains in their mitigation plan. Health and Safety Code §7050.5, CEQA §15064.5(e), and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

Sincerely,

*Katy Sanchez*  
 Katy Sanchez  
 Program Analyst

CC: State Clearinghouse



**Native American Tribal Consultation List**  
County of Santa Barbara  
October 8, 2008

Santa Ynez Band of Mission Indians  
Robert Armenta, Chairperson  
P.O. Box 517 Chumash  
Santa Ynez, CA 93460  
armenta@santaynezchumash.org  
(805) 688-7997

Coastal Band of the Chumash Nation  
Janet Garcia, Chairperson  
P.O. Box 4464 Chumash  
Santa Barbara, CA 93140  
805-964-3447

**This list is current only as of the date of this document.**

**Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.**

**This list is applicable only for consultation with Native American tribes under Government Code Section 65352.3.**





# California Regional Water Quality Control Board

## Central Coast Region

Linda S. Adams  
Agency Secretary

Internet Address: <http://www.swrcb.ca.gov/rwqcb3>  
895 Aerovista Place, Suite 101, San Luis Obispo, California 93401  
Phone (805) 549-3147 • FAX (805) 543-0397



Arnold Schwarzenegger  
Governor

November 4, 2008

Eva Turenchalk  
Turenchalk Planning Services  
231 Santa Barbara Shores Dr  
Goleta, Ca 93117

email: [eva@turenchalk.com](mailto:eva@turenchalk.com)

Dear Ms. Turenchalk,

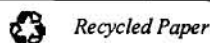
### **RE: INITIAL STUDY/DRAFT MITIGATED NEGATIVE DECLARATION, SANTA BARBARA COUNTY PERMIT COORDINATION PROGRAM**

Thank you for the opportunity to review the above-referenced document. The Central Coast Regional Water Quality Control Board (Water Board) is a responsible agency under the California Environmental Quality Act (CEQA). Water Board staff understands that the project proposes to develop a programmatic permit for a group of conservation and restoration projects on privately-owned, agriculturally zoned property in Santa Barbara County.

The Water Board supports the development and implementation of a coordinated permit process for Santa Barbara County. We support this effort financially and know there are environmental benefits to improved project implementation. We recognize the difficulties with this process and offer the following comments to improve implementation of the process:

- 1) During project design, Water Board staff encourages evaluation of watershed issues that may be impacting or are impacted by the proposed project.
- 2) Projects should seek to minimize disturbance and incorporate necessary actions into a project to achieve water quality and beneficial use protection and enhancement.
- 3) Project designs should consider long term maintenance concerns and improve project design/implementation to minimize maintenance.
- 4) Practices that require routine entry into riparian areas or water courses should be a component of a larger project, that when implemented, will reduce/eliminate the need for routine entry into riparian areas or water courses.
- 5) To support public review of the process, Water Board staff shall post all Tier 2 and above projects proposed for implementation on the Water Board web page for the required 21-day notice period. ([http://www.waterboards.ca.gov/centralcoast/water\\_issues/programs/401wqcert/index.shtml](http://www.waterboards.ca.gov/centralcoast/water_issues/programs/401wqcert/index.shtml)). This will allow direct comment to the Water Board regarding all proposed projects.
- 6) To support public review of the process, Water Board staff shall post the permit coordination Annual Report.

*California Environmental Protection Agency*



- 7) Limited review of other permit coordination efforts shows increased project implementation when compared to areas that do not have permit coordination efforts.

Again, the Water Board supports the development and implementation of a coordinated permit process for Santa Barbara County. Accelerated implementation of projects that protect and/or enhance water quality and associated beneficial uses is consistent with our mission.

If you have questions, please contact Dominic Roques at (805) 542-4780 or Matt Thompson at (805) 549-3159.

Sincerely,



for Roger W. Briggs  
Executive Officer

S:\CEQA\Comment Letters\Santa Barbara County\SB Co Permit Coordination Pgm.doc



Response to California Regional Water Quality Control Board Comments of November 4<sup>th</sup>

Items 1-4 – These elements are already included in the Project Description

Items 5-6 – Proposed public review measures noted

Item 7 – Comment regarding increased implementation of beneficial projects in areas with permit coordination programs noted

## Eva Turenchalk

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**From:** Mauricio Gomez [mgomez@schabitatrestoration.org]  
**Sent:** Tuesday, November 04, 2008 1:08 PM  
**To:** Eva Turenchalk  
**Subject:** Comment - Permit Coordination Program

November 4, 2008

Turenchalk Planning Services  
231 Santa Barbara Shores Dr  
Goleta, Ca 93117

Subject: Support of Permit Coordination Program

Dear Mrs. Turenchalk,

On behalf of South Coast Habitat Restoration (SCHR), I would like to express my support for the permit coordination program which Sustainable Conservation is working on with the Natural Resources Conservation Service and the Cachuma Resource Conservation District. SCHR is a project of the non-profit Earth Island Institute, working on habitat restoration projects in the Santa Barbara and Ventura region. SCHR works primarily with private property owners to implement voluntary restoration projects which benefit the environment. The permit coordination program would allow for SCHR to be more effective and effective at implementing beneficial projects. Currently SCHR has been working towards obtaining permits from multiple agencies. This is a very slow process which is also very costly. The permit coordination effort would decrease the overall cost of projects as well as make them more competitive for grant funding from various state, federal and other grant sources.

Once again, SCHR is supportive of this program and looks forward toward its completion in order to begin implementing projects.

Should you have any questions or comments regarding the above, please feel free to contact me at your convenience.

Sincerely,

Mauricio Gomez  
Director – South Coast Habitat Restoration  
PO Box 335  
Carpinteria. CA 93014

805-729-8787

[mgomez@schabitatrestoration.org](mailto:mgomez@schabitatrestoration.org)