

**TO:** Kevin Drude, Deputy Director  
Energy Division, Planning and Development

**FROM:** Matt Young, Planner

**DATE:** April 11, 2014

**RE:** CEQA Determination for the SWEPI Cat Canyon Soil Remediation Project (13LUP-00000-00232): Finding that CEQA Section 15164 (Addendum) applies to Final Mitigated Negative Declaration 11NGD-00000-00021, prepared for the Vintage Soil Remediation Project (10LUP-00000-00223).

## 1.0 INTRODUCTION

The California Environmental Quality Act (CEQA) requires analysis and disclosure of environmental impacts that could occur as a result of project development. Pursuant to State CEQA Guidelines Section 15164, an Addendum to a previously adopted document may be prepared if the following applicable provisions of Section 15164 CEQA Guidelines can be met:

- (b) *An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.*

Where a Negative Declaration has been adopted and a proposed project is consistent with the development anticipated by the prior document, further environmental review is limited to effects upon the environment which are specific to the parcel or the project and which are not addressed as significant effects in the prior Negative Declaration.

This Addendum has been prepared to reflect proposed changes from the Vintage Soil Remediation Project (Approved Project; Case No. 10LUP-00000-00223) to the Proposed SWEPI Cat Canyon Soil Remediation Project (Proposed Amended Project; Case No. 13LUP-00000-00223). None of the applicable conditions of Section 15162 calling for a subsequent negative declaration have occurred, as indicated by the County analysis and determination provided below.

The Final Mitigated Negative Declaration (MND; Case No. 11NGD-00000-00021) prepared for the Approved Project is hereby amended by this 15164 Addendum for the Proposed Amended Project. This Addendum, together with the 11NGD-00000-00021, will be used by the decision-maker in consideration of the Proposed Amended Project. For a detailed analysis of the impacts and mitigation measures listed herein, please refer to 11NGD-00000-00021.

There are no substantial changes or changed circumstances under which the Proposed Amended Project is to be undertaken. No new significant environmental effects or a substantial increase in the severity of previously identified significant effects assessed in the certified environmental document (11NGD-00000-00021), have been found with respect to the Proposed Amended Project, as analyzed in the following Addendum. Further, there is no new information that the Proposed Amended Project will have one or more significant effects not discussed in the certified environmental document (11NGD-00000-00021).

All documents incorporated into this Addendum by reference are on file with P&D and are available upon request.

## **2.0 PROJECT LOCATION**

The project site is located on Assessor Parcel 129-180-018, located at 6727 Dominion Road, approximately 8 miles southeast of Santa Maria, Fifth Supervisorial District.

## **3.0 PROPOSED AMENDED PROJECT DESCRIPTION**

The Proposed Amended Project site is identified by the Santa Barbara County Environmental Health Services Site Mitigation Unit 2 (SMU-2) as Site #200041. The following project description is based on the TetraTech *Soil Removal Action Plan, United California Lease, Cat Canyon Oilfield* (TetraTech, March, 2013) and Attachment A to that Plan (TetraTech, June, 2013).

The request is for a Land Use Permit (LUP) to perform soil remediation activities within the United California Lease (UCAL) Lease. The UCAL Lease is located on APN 129-180-018, a 303.6-acre parcel within the State-designated Cat Canyon Oilfield that has been used for oil production for many years. The UCAL Lease Soil Removal Action Project Area (hereinafter referred to as the Site) is a 7-acre portion of APN 129-180-018.

The Proposed Amended Project consists of removal of an underground diluent soil plume from a single 46,770 square feet (1.07 acre) excavation area within the site. Due to the depth of the excavation and the need to stockpile excavated soils, the total disturbance area is estimated to be 4.6 acres. The applicant estimates that a total of approximately 56,415 cubic yards of soil would be removed to complete the proposed excavation. Approximately 12,026 (revised Oct. 3, 2013 from 12,030) cubic yards of contaminated soil would be exported and 12,026 cubic yards of clean soil would be imported.

The proposed remedial excavation will consist of the following phases:

1. The Main Remedial excavation will have an area of approximately 47,000 square feet; extend from the ground surface at elevations ranging from approximately 700 to 685 feet above mean sea level (msl) to the bottom of the main hardpan layer at approximately 669 feet above msl.
2. Southern and northern deeper excavations will be extended downward from the bottom of the primary excavation (at 669 feet above msl) and excavated to approximately 650 feet above msl in the vicinity of boring TTB-28 (South Deep Excavation), and to approximately 660 feet above msl in the vicinity of boring TTB-18 (North Deep Excavation).
3. The North Deep excavation at TTB-18 will include a portion within the limits of the Main Remedial Excavation (North Deep Excavation 1) and a portion where the excavation is extended to the northeast beyond the limits of the Main Remedial Excavation to the seep face (North Deep Excavation 2) with the excavation bottom at approximately 660 feet above msl.

Excavation activities will be implemented in a manner that protects existing Site utilities, surface features, and the general site environment following the procedures detailed below. All work will be performed under the supervision of a California Professional Geologist.

A track-mounted excavator will be used to remove the diluent-impacted soil from the excavation footprint and load it directly into hauling trucks for removal where practicable. However, impacted soil may be temporarily stockpiled on-site for loading by wheel-loader throughout the day when necessary. All excavation equipment will be decontaminated before it leaves the Site.

A potential fill borrow site has been identified at the Santa Maria Landfill on Main Street adjacent to the Santa Maria River, approximately 10 miles northwest of the Site. This fill source is referred to as the Santa Maria River dry riverbed source.

There is a potential that a sufficient quantity of perched groundwater will seep into the remedial excavation and require removal through excavation dewatering, onsite storage, characterization, and disposal. In the event that excavation dewatering is required, periodic dewatering will be performed using a gasoline powered utility pump. The water will be pumped out of the excavation area into a poly tank for temporary storage. Characterization samples (one per load of water) will be collected from the water stored in the tank and analyzed at an offsite laboratory. The purged water will be transferred from the storage tank to vacuum tanker trucks as needed and transported offsite for disposal at an appropriate treatment facility with applicable shipping documentation.

It is anticipated that the work would require approximately 13 weeks (64 field days) to complete, as follows:

- 4 field days for mobilization
- 30 field days for soil excavation, loading, transport, and disposal
- 30 field days for excavation, backfill, and site restoration

As specified in the Action Plan, if feasible, the project would be scheduled outside of the bird nesting season (March 15 to August 15), and outside the rainy season (November 1 to April 15). If construction activities occur within nesting bird season, a qualified biologist shall perform pre-activity, nesting bird surveys to determine if breeding/nesting birds are present within the Project Site. If an active bird nest is identified, then CDFW and/or USWFS shall be consulted to determine appropriate buffer during construction activities. No trees are proposed to be removed.

The excavated soil would be hauled offsite and disposed of at the Santa Maria Sanitary Landfill (SMSL), located in Santa Maria, California, as part of the Non-hazardous Hydrocarbon Impacts Soils program for non-hazardous waste. The excavation will be backfilled with clean overburden soil removed from the excavation and with clean soil imported from off-site.

Given the preliminary estimates of material to be exported and imported (24,052 cy), and equipment necessary (20 hauling trucks with 18 CY/L hauling capacity) it is estimated that a total of approximately 668 truck trips (round trips to the SMSL) would be necessary to haul the excavated contaminated soil off-site and transport soil back to the project site. This equates to 30 trips per day for 22 days, or 40 trips per day for 17 days. At 30 trips per day for 22 days, it is estimated there would be 3.75 trips per hour. At 40 trips per day for 17 days, it is estimated there would be 5 trips per hour (personal communication, Randy Westhaus, October 3, 2013).

The remediation site is accessible by existing oil field access roads. These roads are also used by the current farming operation.

#### **4.0 CHANGES IN PROJECT IMPACTS**

The following sections discuss the environmental impacts and mitigations of the Approved Project and the Proposed Amended Project.

##### ***4.1 Approved Vintage Soil Remediation Project:***

The Approved Project Land Use Permit, 10LUP-00000-00223 (issued May 22, 2013), included the Final MND, 11NGD-00000-00021 (approved by the County Environmental Hearing Officer on November 3, 2011). The Approved Project is located on APN 129-180-018 within the United California Lease. Three

of the Approved Project remediation sites (Wells 130, 120, and 83) are located within the 7-acre work area for the Proposed Amended Project.

The project description in the Final MND for the Approved Project included soil remediation on the 300-acre United California Lease (APN 129-180-018) in the Cat Canyon oilfield. The remediation consists of removing soil from three soil stockpiles and twenty-two identified excavation areas and treating these soils in two, 4- to 5-acre (approximate) bioremediation treatment areas. Phase I of the project involves removing soils from three stockpiles and one additional site totaling approximately 6 acres, relocating them, and treating them onsite in a separate 5 acre area, for a total disturbance area of 10.33 acres and 44,000 cubic yards (cu. yds.) of earthwork. Phase II involves excavation and treatment of the remaining 22 sites in an expanded treatment area. The approximate 10-acre Phase I area is located approximately 500 ft. southeast of the Proposed Amended Project area. The Vintage Phase II sites are located throughout the UCAL Lease, with sites 130, 120, and 83 located within the 7-acre Proposed Amended Project area. Each of these sites is in a disturbed area.

11NGD-00000-00021 identified potentially significant, but mitigable impacts from the Approved Project (10LUP-00000-00223) in the following categories:

- Air Quality
- Biological Resources
- Cultural Resources
- Geologic Processes
- Hazardous Materials, and
- Water Resources

The following impacts and mitigation measures were identified in the proposed Final MND (11NGD-00000-00021). There are no new mitigation measures associated with the Proposed Amended Project that were not previously included with the Approved Project. These mitigations were determined to reduce potentially significant impacts to a **less than significant** level.

1) Air Quality: *Impact*: Potentially significant impacts from dust generation. *Mitigation*: Dust control measures including use of water trucks or sprinklers, maximum speed limit of 15 mph on site, water and or covering of stockpiled material, gravel pads to minimize material from landing on offsite public roads, re-vegetation or other dust control methods for completed areas, and dust control monitoring would reduce impacts to **less than significant**.

2) Biological Resources: *Impact*: Potentially significant impacts to rare plant communities (purple needlegrass grasslands (0.11 acres), freshwater marsh (0.14 acres), and willow riparian (0.13 acres) areas), rare plants, native vegetation, trees, and several special-status animal species (including California tiger salamander, CA Red-Legged Frog, and CA horned lizard) from wellpad remediation. *Mitigation*: Restoration plan, pre-construction surveys for California horned lizards and small mammals, California horned lark nesting season avoidance and surveys, habitat avoidance, spill management, equipment storage, traffic management, endangered species education, evening construction restriction, waste management, pet restriction, and rodenticide/herbicide restrictions would reduce impacts to **less than significant**. Topsoil salvage is included in the project description.

3) Cultural Resources: *Impact*: One isolated cultural artifact was found near the existing pad for Well #27, which is not within the SWEPI work area. *Mitigation*: Santa Barbara County's standard archaeological discovery clause would reduce impacts to **less than significant**. This clause requires all work to be stopped upon the discovery of archaeological remains until a P&D qualified archaeologist and Native American

representative are retained by the applicant to evaluate the significance of the find pursuant to Phase 2 investigations of the County Archaeological Guidelines.

4) Geologic Processes: *Impact*: Potentially significant impacts due to cut and fill and amounts of grading, in addition to impacts from wind and water erosion. *Mitigation*: Implementation of a grading and erosion control plan incorporating conduits to existing drainage courses, and limitation of grading to the dry season of the year (i.e. April 15 to November 1) unless a Building and Safety approved Erosion Control Plan is in place and all measures are in effect would reduce impacts to **less than significant**. Topsoil removal and replacement (salvage) is included in the project description.

5) Hazardous Materials/Risk of Upset: *Impact*: Beneficial effects of removal of contaminated soil containing metals exceeding federal levels, but concomitant risks associated with handling of these chemicals. *Mitigation*: Submittal of a Hazardous Materials Business Plan (HMBP) to P&D and the County Fire Department for review and approval would reduce impacts to **less than significant**.

6) Water Resources/Flooding: *Impact*: Potentially significant discharges into surface waters and introduction of pollutants. *Mitigation*: Implementation of the Spill Prevention, Control, and Countermeasure Plan (SPCCP) prepared by Tracer Environmental Sciences & Technologies and dated April 27, 2006 would reduce impacts to **less than significant**.

With implementation of the proposed mitigation measures, the Final MND for the Approved Project concluded that impacts of the Vintage Soil Remediation project would be reduced to **less than significant**.

#### ***4.2 Proposed Amended Soil Remediation Project:***

The Proposed Amended Project (described in Section 3.0) is located on APN 129-180-018 within the United California Lease. The 7-acre work area includes portions of three of the 22 Vintage remediation sites that were part of the Approved Project:

- UCAL Well 130 – 250 cu. yds. excavation; 2,500 sq. ft. previously-disturbed work area
- UCAL Well 120 – 250 cu. yds. excavation; 2,500 sq. ft. previously-disturbed work area
- UCAL Well 83 – 250 cu. yds. excavation; 2,500 sq. ft. previously-disturbed work area

Impacts of the Proposed Amended Project (as described in Section 3.0) would be as follows:

1) Air Quality: Same as above (dust generation). **Less than significant** with mitigation measures included in 11NGD-00000-00021k.

2) Biological Resources. The 7-acre work area includes coastal sage scrub, oak woodland, and grassland vegetation, in addition to disturbed areas. The 4.6-acre disturbance area is located primarily in grasslands and coastal scrub. A site visit by the P&D staff biologist on October 1, 2013 confirmed the presence of patchy native grasslands and coastal scrub within the work area. The grasslands are dominated in places by purple needlegrass. Temporary impacts to these plant communities would occur, and the impacts are similar to the above-described impacts for the Approved Project. Based on field reports (Randy Westhaus, October 1, 2013) that grading will avoid most coastal scrub and will be confined mostly to the excavation area, it is anticipated that approximately 0.5 acres of native grassland would be affected by this project. A small amount of willow riparian vegetation would be affected near the seep. Revegetation of disturbed areas, including native grassland are detailed in a Restoration Plan (Tetra Tech, 2014), consistent with Special BIO Condition-8 of the Approved Project MND.

*California tiger salamander (CTS) and California Red-Legged Frog (CARLF)*. Like the Approved Project, the Proposed Amended Project site is located near (within 300 ft of) a potential CTS breeding pond (SISQ-14, as mapped by USFWS, 2010). Because of the potential for impact if CTS are present, extensive surveys were undertaken in 2010 and 2011 for the Approved Project to determine the presence of California tiger salamander and California Red-Legged Frog on the subject site and in this pond. No CTS or CARLF were found in SISQ-14. However, mitigations were attached to the Approved Project to avoid impact due to the presence of this and other ponds nearby. Although most of the affected CTS habitat for Phase I of the Approved Project was previously-disturbed due to soil stockpiling and prior well activities, remediation of some areas on the Vintage site during Phase II was predicted to affect suitable habitat<sup>1</sup> for CTS. The Proposed Amended Project could affect 1.1 acres of suitable habitat. The impacts of the Proposed Amended Project would be similar to those addressed in the MND for the Approved Project. **Less than significant** with mitigation measures included in 11NGD-00000-00021.

3) Cultural Resources. As noted above, selected areas of the Approved Project site were surveyed for the presence of cultural resources by Garcia and Associates in 2010, and one isolated resource was found near a well site that is outside the Proposed Amended Project study area. A Phase I survey was conducted for unsurveyed areas within the 7-acre Proposed Amended Project site on November 5, 2013. The survey was negative for cultural materials. The archaeologist observed that most of the area was previously disturbed from oil and water well production, road construction, and cattle grazing. **Less than significant** with mitigation measures included in 11NGD-00000-00021.

4) Geologic Processes. Similar to above impacts for the Approved Project. **Less than significant** with mitigation measures included in 11NGD-00000-00021.

5) Hazardous Materials. Similar to above impacts for Approved Project. **Less than significant** with mitigation measures included in 11NGD-00000-00021.

6) Water Resources. Similar to above impacts for Approved Project. **Less than significant** with mitigation measures included in 11NGD-00000-00021.

It is concluded that the Proposed Amended Project changes, as described above, will not cause any new environmental impacts, nor increase previously identified impacts. Although the impacts on native grassland increase from 0.11 acres to approximately 0.5 acres, the restoration and replacement of this habitat after construction would be accomplished through mitigation included in the 11NGD-00000-00021. The proposed changes are within the scope of the Final MND analysis and substantially conform to the project description.

#### **4.3 Cumulative Impacts**

The adopted Final MND (11NGD-00000-00021) analyzed the cumulative impacts which could result from the Approved Project on the United California Lease. It concludes that with the inclusion of identified mitigation measures, cumulative impacts would be less than significant. The Proposed Amended Project involves impacts to approximately 4.1 acres of vegetation, including 0.5 acres of native grassland, 0.5 acres of annual grassland, and very small amounts of willow riparian scrub, all of which were evaluated under Phase II of the Approved Project. Mitigation in the form of restoration of approximately 0.5 acres of native grassland; in addition to restoration of the entire 4.1-acre disturbance area with a native seed mix, has been included in this project, consistent with Special BIO Condition-8 in the Approved Project MND. The two projects taken together would increase the total area of impact to native grassland from 0.11 acres to 0.5, resulting in a cumulative total impact of 0.5 acres of native

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<sup>1</sup> Suitable habitat is generally described as undisturbed grassland with small mammal burrows.

grassland on the site, much of which is temporary, since the site would be restored. With the application of the above referenced mitigation measures, cumulative impacts associated with the Proposed Amended Project would be less than significant.

#### **5.0 FINDINGS:**

It is the finding of the Deputy Director of the Energy and Minerals Division, Planning and Development Department that the previous environmental document as herein amended may be used to fulfill the environmental review requirements of the current project. Because the current project meets the conditions for the application of State CEQA Guidelines Section 15164, preparation of a new EIR or ND is not required. The SWEPI Soil Remediation Project (13LUP-00000-00232) may now proceed with the understanding that any substantial changes in the proposal may be subject to further environmental review.

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