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## STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 2019-

CERTIFICATION, PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, OF THE FINAL ENVIRONMENTAL IMPACT REPORT FOR CONSIDERATION OF AMENDMENTS TO THE UNITED STATES BUREAU OF RECLAMATION'S PERMITS 11308 AND 11310 (APPLICATIONS 11331 AND 11332) FOR THE CACHUMA PROJECT TO PROTECT PUBLIC TRUST VALUES AND DOWNSTREAM WATER RIGHTS ON THE SANTA YNEZ RIVER

### WHEREAS:

1. The State Water Resources Control Board (State Water Board) is the lead agency under the California Environmental Quality Act (CEQA) (Public Resources Code § 21000 et seq.) in connection with a water right proceeding to consider amendments to United States Bureau of Reclamation's (Reclamation) water right Permits 11308 and 11310 (Applications 11331 and 11332) for the Cachuma Project to: protect public trust values and downstream water rights; and act on a petition to change the authorized place and purpose of use for those permits (Cachuma Project). The Cachuma Project is located on the Santa Ynez River in Santa Barbara County, California.
2. In 1946, Reclamation filed water right applications 11331 and 11332. In 1958, the State Water Board's predecessor, the State Water Rights Board, adopted [Decision 886](#) and issued Permits 11308 and 11310 to Reclamation for the Cachuma Project. The State Water Board reserved jurisdiction over Permits 11308 and 11310 through Orders WR [73-37](#), [78-10](#), [89-18](#) and [94-5](#) to address downstream water rights and public trust resources.
3. In 1983, Reclamation filed a petition for change in place of use and purpose of use for the Cachuma Project with the State Water Board. Reclamation made several amendments to its petition during the period 1983 to 1997 to expand the existing place of use boundary to include the current service area of the Cachuma Project's Member Units (City of Santa Barbara, Goleta Water District, and Montecito Water District) and consolidate the seven purposes of use under Permits 11308 and 11310. The Cachuma Operations and Management Board (COMB) prepared a Negative Declaration for the petition to add 17,506 acres to the place of use and to consolidate the purposes of use for the Cachuma Project. No mitigation measures are identified in the Negative Declaration. COMB adopted the Negative Declaration on November 2, 1998, and filed a Notice of Determination with the State Clearinghouse. Pursuant to California Code of Regulations, title 14, section 15096, subdivision (f), the State Water Board has considered the environmental effects of the change petition as shown in the negative declaration.

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4. The State Water Board released a Draft Environmental Impact Report (DEIR) related to consideration of modifications to the Cachuma permits in 2003. A Revised Draft Environmental Impact Report (RDEIR) was issued in 2007 in response to public comments. In response to comments on the 2007 RDEIR, the State Water Board updated information on water supply, biological resources, oak trees, and recreation in 2011 as part of a second RDEIR. The Final Environmental Impact Report (FEIR) was issued on December 8, 2011. On March 27, 2019, the State Water Board issued a supplemental response to comments to address a misunderstanding of previous responses. This supplemental response to comments is part of the FEIR. The FEIR identifies significant, unmitigable impacts in the areas of water supply and oak trees (short term/temporary). The environmental documents are available for review at the State Water Board.
5. The State Water Board must consider the FEIR and other evidence in deciding whether to adopt modifications to Reclamation's Permits 11308 and 11310 for the Cachuma Project to protect public trust resources and downstream water rights, and act on a petition to change the place and purpose of use of those permits. The State Water Board must certify the FEIR prior to adopting an order concerning the Cachuma Project.
6. The FEIR has been completed in compliance with CEQA.
7. The FEIR has been presented to the State Water Board and the State Water Board has reviewed and considered the information contained in the FEIR prior to adopting an order concerning the Cachuma Project.
8. The FEIR reflects the State Water Board's independent judgement and analysis.

THEREFORE BE IT RESOLVED THAT:

The State Water Board certifies that the FEIR for the Cachuma Project complies with the requirements of CEQA (Pub. Resources Code § 21000 et seq.).

### **CERTIFICATION**

The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Board held on September 17, 2019.

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Jeanine Townsend  
Clerk to the Board