



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Planning &
Development
Department No.: 053
For Agenda Of: July 11, 2023
Placement: Administrative
Estimated Time: N/A
Continued Item: No
If Yes, date from: N/A
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Lisa Plowman, Director (805) 934-6559
Director(s)
Contact Info: Travis Seawards, Deputy Director (805) 934-6559

SUBJECT: Report on Case No. 23EMP-00010: Caltrans Gaviota Scour Repair and Wall,
Between Post Miles 47.1 & 47.74, near Gaviota Tunnel, Gaviota area, Third
Supervisorial District

County Counsel Concurrence

As to form: Yes

Other Concurrence: N/A

As to form: N/A

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

That the Board of Supervisors:

- a) Receive and file this report on Emergency Permit Case No. 23EMP-00010, approved by the Director of Planning & Development on May 30, 2023, which authorized the construction of an approximately 550-foot-long secant pile wall and installation of Rock Slope protection (RSP) to repair the revetment and embankment supporting southbound Highway 101 just South of the Gaviota Tunnel, between Post Miles 47.1 and 47.25, and repair of three spot locations of scour damage between Post Miles 47.25 to 47.75; and,
- b) Determine that receiving and filing this report is not a project pursuant to CEQA Guidelines Section 15378(b)(5) as it is an administrative government activity that will not result in direct or indirect physical changes in the environment.

Summary Text:

Section 35-171 of the Article II Coastal Zoning Ordinance authorizes the Director of the Planning and Development Department (P&D) to temporarily defer standard permit requirements of Article II and issue

an Emergency Permit when an emergency action is warranted. In this instance, a series of heavy storms and atmospheric rivers in January 2023 caused widespread flooding and elevated creek levels throughout Santa Barbara County, resulting in storm damage on Highway 101 near Gaviota Tunnel, leaving little to nothing remaining to protect the highway embankment from continued loss eventually resulting in the loss of shoulder, lane, or the entire roadbed of southbound Highway 101.

The Emergency Permit was issued on May 30, 2023. The permit allowed construction of an approximately 550-foot-long secant pile wall and installation of Rock Slope protection (RSP) to repair the revetment and embankment supporting the southbound Highway 101 just South of the Gaviota Tunnel, between Post Miles 47.1 and 47.25. In addition, the permit allowed the repair of three spot locations of scour damage to existing revetments and embankment supporting northbound and southbound Highway 101, between Post Miles 47.25 to 47.75.

Pursuant to Article II Section 35-171.5.1, a notice was mailed to the surrounding property owners and residents. Additionally, three notice placards were placed on the subject property. Public comment by phone, email, and mail was accepted up until the date of the decision for the Emergency Permit project. P&D did not receive any public comment regarding the issuance of the Emergency Permit.

Pursuant to the Article II Section 35-171.5.3, an Emergency Permit does not constitute an entitlement to erect permanent structures, and an application for the applicable planning permit must be submitted within 30 days following the granting of the Emergency Permit. A Development Plan and Coastal Development Permit are required in order to permit the work described in the Emergency Permit.

Issuance of the Emergency Permit was consistent with Article II, as the action provided an immediate response to an emergency situation in the interest of health, safety, and public welfare. The Department granted the Emergency Permit based on a statutory exemption (CEQA Guidelines Section 15269(c)) due to clear and imminent risk to life and property posed by the damage to the revetment and embankment supporting southbound Highway 101. A copy of the CEQA Exemption is included herein as Attachment 3.

Pursuant to Article II Section 35-171.6, the Director of P&D is required to report in writing to the Board of Supervisors the nature of the emergency and the work involved. This report satisfies that requirement.

Background:

A series of heavy storms and atmospheric rivers in January 2023 caused widespread flooding and elevated creek levels throughout Santa Barbara County, resulting in storm damage on Highway 101 near Gaviota Tunnel. Extreme flows in Gaviota Creek adjacent to Highway 101 damaged existing revetments and resulted in creek scouring causing over-steepened slopes compromising the stability of the highway. Approximately 500 feet of creek bank and revetments were damaged leaving little to nothing remaining to protect the highway embankment from continued loss eventually resulting in the loss of shoulder, lane, or the entire roadbed of southbound Highway 101.

The slope adjacent to Highway 101 between the southbound lane and Gaviota Creek was previously protected by a combination of stacked sackcrete and Rock Slope Protection (RSP), but these protective measures are failing. On May 16, 2023, Caltrans convened a meeting with stakeholders including State Fish and Wildlife, the Coastal Commission, Army Corp of Engineers, and the County in order to discuss the project scope, determine permitting requirements, and discuss timing and construction logistics. Through subsequent coordination with the County, Caltrans committed to conducting the proposed work

in compliance with all measures required by the Army Corps Regional General Permit 63 including measures from RWQCB, US Fish and Wildlife, CDFW and NOAA for protection water quality, habitat, and sensitive species.

The Emergency Permit application was accepted for processing on May 28, 2023. The repair work within the Caltrans right-of-way between Post Miles 47.1 and 47.74, near the Gaviota Tunnel to stabilize the slope supporting Highway 101 is expected to be completed by winter 2023. The repairs to the revetment and embankment supporting the southbound Highway 101 just South of the Gaviota Tunnel, between Post Miles 47.1 and 47.25 will include construction of an approximately 550-foot-long secant pile wall and installation of Rock Slope protection (RSP). Three spot locations of scour damage to existing revetments and embankment supporting northbound and southbound Highway 101 between Post Miles 47.25 to 47.75 will also be repaired. Grading will include approximately 6,500-7,000 cubic yards of excavation for piles and slope repair, and approximately 1,500 cubic yards of temporary fill to support equipment.

Fiscal and Facilities Impacts:

County staff costs for preparing the Emergency Permit are reimbursed by the applicant in conformance with the current Board-adopted fee ordinance. The estimated total cost to process this Emergency Permit is approximately 15 staff hours, which equates to \$4,050.00. Funding for this project is budgeted in the Planning & Development's Permitting Budget Program, on page D-387 of the County of Santa Barbara Fiscal Year (FY) 2022-23 adopted budget. Future permitting costs associated with this project will be borne completely by the applicant.

Attachments:

1. Emergency Permit 23EMP-00010
2. CEQA Notice of Exemption - Section 15378(b)(5)
3. CEQA Notice of Exemption - Section 15269(c)

Authored by:

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