



**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

Submitted on:
(COB Stamp)

Department Name: Public Works/CSA 12
Department No.: 054
For Agenda of: December 3, 2024
Placement: Administrative
Estimated Time: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: ss
FROM: Department Director Chris Sneddon, P.E., Public Works Director, (805) 568-3010
Contact Info: Martin Wilder, P.E., Laguna County Sanitation District
Manager, (805) 882-3605
**SUBJECT: County Service Area 12 (Mission Canyon Sewer District), Acceptance of Sewer
Easement on APN 023-161-017 – 1st Supervisorial District**

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

That the Board of Supervisors, acting as the governing authority of County Service Area 12:

- a) Accept the easement deed from Alexander Weiliang Fang and Casey Brianne Fang, trustees of the Fang Family trust and owner of APN 023-161-017, and authorize the Clerk of the Board to execute the certificate of acceptance; and
- b) Find that the proposed action does not constitute a "Project" within the meaning of the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15378(b)(5), in that it is a government administrative activity that will not result in direct or indirect changes in the environment.

Summary Text:

This item is on the agenda to acquire a public sewer easement over APN 023-101-024 to serve County Service Area 12 in the Mission Canyon area.

Discussion:

This action accepts a replacement easement over APN 023-101-024 in order to correct an error in the original easement that resulted in an encroachment by the owner who built a home improvement project in the County's 10-foot sewer easement.

Background:

County Service Area (CSA) 12 was formed to address failing septic systems in response to Regional Water Quality Control Board (RWQCB) Resolution 83-04. The County of Santa Barbara initiated the establishment of CSA 12 by Resolution 84-72, and the Santa Barbara Local Area Formation Commission (LAFCO) formally established CSA 12 by approving LAFCO Resolution 84-654. The primary function of CSA 12 is to collect wastewater via approximately 13.4 miles of sewer system, which is conveyed to and treated by the City of Santa Barbara pursuant to the terms of a joint powers agreement. The rules and regulations regarding the function and operation of CSA 12 were codified by Ordinance 3574 in Chapter 22A of the County Code. An Environmental Impact Report (EIR) was prepared for the Mission Canyon Area Wastewater Facilities Plan in November of 1983, and construction of the original sewer system was completed in 1985. The sewer system is regulated by the State Water Resources Control Board under Order No. 2006-0003-DWQ, *Statewide General Waste Discharge Requirements for Sanitary Sewer Systems*.

The sewer system project focused primarily on connecting developed parcels in the immediate vicinity of Foothill Road, based on smaller lot sizes and access. Most of the sewer system is located in public road rights of way, however, due to the hilly terrain, many sewer easements were acquired on private property to allow as many plots as possible to be served by gravity sewers, rather than pressurized systems. The sewer easement located at 887 Cheltenham Road (APN 023-161-017), contained a conflicting boundary call that resulted in an encroachment into the easement (recorded instrument no. 1985-0017601) by the owner during a home improvement project. The original easement was intended to be 10 feet wide; however, it has been determined that a 7-foot width is sufficient and avoids interference with the owner's subsequent land improvements.

Staff recommends accepting a new easement, which revises the sewer right of way from 10 feet to 7 feet in width. The original 10 foot easement will be quitclaimed to the property owner simultaneously with the recordation of the replacement easement. Staff recommends this action in order to resolve the conflicting boundary call and maintain an appropriate easement.

Performance Measure:

This action will provide the appropriate sewer rights of way to ensure the sewer main is property maintained by CSA 12.

Fiscal and Facilities Impacts:

There are no fiscal or facility impacts with this action.

Special Instructions:

After Board action, direct the Clerk to:

1. Execute the Certificate of Acceptance of the easement deed.
2. Direct the Clerk of the Board to forward a certified copy of the minute order and executed easement deed to Kevin Thompson at Public Works, Laguna County Sanitation District, 620 West Foster Road, Santa Maria, CA 93455. A recorded copy will be forwarded to the Clerk of the Board for filing.

Attachments:

Attachment A - Easement Deed

Authored by:

Kevin Thompson, P.E., Utilities Manager, (805) 803-8756

cc:

File

Angela Arredondo, Supervising Accountant